

City of Miami

*City Hall
3500 Pan American Drive
Miami, FL 33133
www.miamigov.com*



Meeting Minutes

Thursday, October 12, 2017

9:00 AM

Regular

City Hall

City Commission

*Tomás Regalado, Mayor
Keon Hardemon, Chair
Ken Russell, Vice Chair
Wifredo (Willy) Gort, Commissioner, District One
Frank Carollo, Commissioner, District Three
Francis Suarez, Commissioner, District Four
Daniel J. Alfonso, City Manager
Victoria Méndez, City Attorney
Todd B. Hannon, City Clerk*

9:00 AM**INVOCATION AND PLEDGE OF ALLEGIANCE**

Present: Chair Hardemon, Vice Chair Russell, Commissioner Gort, Commissioner Carollo and Commissioner Suarez

On the 12th day of October 2017, the City Commission of the City of Miami, Florida, met at its regular meeting place in City Hall, 3500 Pan American Drive, Miami, Florida, in regular session. The Commission Meeting was called to order by Chair Hardemon at 9:25 a.m., recessed at 12:03 p.m., reconvened at 2:12 p.m., recessed at 2:29 p.m., reconvened at 2:46 p.m. and adjourned at 2:56 p.m.

Note for the Record: Commissioner Carollo entered the Commission chambers at 9:26 a.m., and Vice Chair Russell entered the Commission chambers at 10:06 a.m.

ALSO PRESENT:

*Daniel J. Alfonso, City Manager
Victoria Méndez, City Attorney
Todd B. Hannon, City Clerk*

Chair Hardemon: Welcome to the October 12, 2017 meeting of the Miami City Commission in these historic chambers. The members of the City Commission are Wifredo Gort, Frank Carollo, Francis Suarez; Ken Russell, the Vice Chair; and me, Keon Hardemon, the Chairman. Also on the dais are Daniel J. Alfonso, our City Manager; Victoria Méndez, our City Attorney; and Todd Hannon, our City Clerk. The meeting will be opened with a prayer by Commissioner Gort, and the Mayor will lead us in the pledge of allegiance. All rise.

Invocation and pledge of allegiance delivered.

PART A - NON-PLANNING AND ZONING ITEM(S)**PR - PRESENTATIONS AND PROCLAMATIONS****PR.1****PROTOCOL ITEM****3004**

<u>Honoree</u>	<u>Presenter</u>	<u>Protocol Item</u>
Zyscovich Architecture Firm	Commissioner Suarez	Proclamation
31 Mayor's Back to School Event	Mayor Regalado	Certificate of Appreciation
5 Latino Art Beat Winners	Mayor Regalado	Certificates of Merit
Adrian Castro	Mayor Regalado	Proclamation
Leonardo Carillo	Mayor and Comm. Gort	Certificate of Appreciation
Vanessa Acosta	Mayor and Comm. Gort	Proclamation

RESULT:	PRESENTED
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- 1) *Mayor Regalado and Commissioner Suarez presented a proclamation to the Zyscovich Architecture Firm. Zyscovich is a prestigious architecture firm headquartered in Miami, Florida with impressive and extensive accomplishments both in the United States and Latin America. Since the firm's inception in 1977, their goal has always been to establish a company that can provide high-value services for design-specific issues, while placing social betterment at the core of everything they do. Zyscovich has designed the full spectrum of projects, from transportation facilities and airports to K-12 schools and universities, mixed-use commercial and public-private partnership developments to multi-family residential high-rises and master plans for cities and their approach to urban design and master planning is gaining momentum and earning international recognition in the process. Elected Officials pause in their deliberations of governance to pay tribute and celebrate the many accomplishments of the firm and proclaimed October 12, 2017 as Zyscovich Day in the City of Miami.*
- 2) *Mayor Regalado and Commissioners paused in their deliberations of governance to commend and thank the 31 participants who dedicated their efforts to the Mayor's Back to School Event which was held on July, 28, 2017. The work of multiple organizations and volunteers enrich the City of Miami and elevate the spirit of civic engagement and generosity in working to improve the quality of life in the community.*
- 3) *Mayor Regalado and Commissioners paused in their deliberation of governance to distinguish the occasion of Hispanic Heritage Month and October 12th, as El Día de la Raza, further recognizing and honoring Hispanic individuals who have excelled in their chosen field of endeavor and stood out among their peers. Elected Officials paid tribute to Adrián Castro, poet, performer, and interdisciplinary artist, who has succeeded in creating a body of work that is highly esteemed by both accredited critics and the poetry-reading public. Mr Castro, born in Miami, Florida, a place which has provided fertile ground for the rhythmic Afro-Latino style in which he writes and performs. Castro, of Cuban-Dominican heritage, articulates the search for a cohesive Afro-Caribbean-American identity and honors both the myth and history of its migratory peoples. Castro is the author of three books of poetry, and recipient of various accolades. Elected Officials proclaimed October 12, 2017 as Adrián Castro Day in the City of Miami.*
- 4) *Mayor Regalado and Commissioner Suarez presented a Certificate of Merit to the 5 winners of the 2017 Latino Art Beat Competition winners. They paid tribute to their extraordinary artistic talents and eminent contributions to the elevation of creative expression in South Florida and paused in their official deliberations in order to honor their participation in this challenging undertaking that celebrates youth and art.*
- 5) *Mayor Regalado and Commissioner Gort paid tribute to City of Miami Police Officer Leonardo Carillo for his thirty (30) years of excellent work performance, selfless dedication, and high level of professionalism and noble devotion to duty in the City of Miami Police Department. Officer Carillo served as a Neighborhood Resource Office (NRO) at the Allapattah (NET) for four (4) years and is esteemed and respected by City of Miami constituents. His beginning date at the Police Department was November 23, 1987 and his last day of service was September 25, 2017. Elected Officials paused in official deliberations to express best wishes for his retirement and gratitude for his commitment to public service, a tenure during which he could be counted on by both colleagues and constituents for dependable service to the City of Miami.*
- 6) *Mayor Regalado and Commissioner Gort paid tribute to Ms. Vanessa Acosta, City of Miami (NET) Director and applauded her for seven (7) years of excellent work performance, selfless dedication, and high level of professionalism in the City of Miami's Administration. Her reliability, responsibility, competence and noble devotion to duty has been a credit to the City of Miami residents and the community. Elected Officials wished her farewell and good luck in her future endeavors.*

Chair Hardemon: We will now begin our presentations and proclamations.

Presentations and proclamations made.

ORDER OF THE DAY

Chair Hardemon: We will now begin the regular meeting. The City Attorney will state the procedures to be followed during this meeting.

Victoria Méndez (City Attorney): Thank you, Chairman. Any person who is a lobbyist, including all paid persons or firms retained by a principal to advocate for a particular decision by the City Commission, must register with the City Clerk and comply with related City requirements for lobbyists before appearing before the City Commission. A person may not lobby a City official, board member, or staff member until registering. A copy of the Code section about lobbyists is available in the City Clerk's Office or online on www.municode.com [sic]. Any person making a presentation, formal request, or petition to the City Commission concerning real property must make the disclosures required by the City Code in writing. A copy of this Code section is available in the City Clerk's Office or online at www.municode.com [sic]. The material for each item on the agenda is available during business hours at the City Clerk's Office, and online 24 hours a day at www.miamigov.com [sic]. Any person may be heard by the City Commission through the Chair for not more than two minutes on any proposition before the City Commission, unless modified by the Chair. If the proposition is being continued or rescheduled, the opportunity to be heard may be at such later date before the City Commission takes action on the proposition. The Chairman will advise the public when the public may have the opportunity to address the City Commission during the public comment period. When addressing the City Commission, the member of the public may first state his or her name, his or her address, and what item will be spoken about. A copy of the agenda item titles will be available at the City Clerk's Office and at the podium for your ease of reference. Anyone wishing to appeal any decision made by the City Commission for any matter considered at the meeting may need a verbatim record of the item. A video of this meeting may be requested at the Office of Communications or viewed online at miamigov.com [sic]. No cell phones or other noise-making devices are permitted in chambers; please silence those devices now. No clapping, applauding, heckling, or verbal outburst in support or opposition to a speaker or his or her remarks shall be permitted. Any person making offensive remarks or who becomes unruly in Commission chambers may be barred from further attending Commission meetings and may be subject to arrest. No signs or placards shall be allowed in Commission meetings. Any person with a disability auxiliary -- that requires auxiliary assistances, aids and services may notify the City Clerk. The lunch recess will begin at the conclusion of the deliberation of the agenda item being considered at noon. The meeting will end either at the conclusion of the deliberation of the agenda item being considered at 10 p.m. or at the conclusion of the regularly scheduled agenda, whichever occurs first. Please note, Commissioners have been generally briefed by the City staff and the City Attorney on items on the agenda today. At this time, the Administration will announce what items, if any, are being either withdrawn, deferred, or substituted. Thank you.

Commissioner Suarez: Mr. Chair.

Chair Hardemon: You're recognized.

Commissioner Suarez: I have to make a disclosure on some conflicts related to my firm. I, Francis Suarez, Commissioner of the City of Miami, District 4, hereby disclose that on October 12, several measures were come [sic] before a regular meeting of the Miami City Commission, which were noted as special gain or loss of the law firm of Carlton Fields. The measures are CA.5, RE.2, DI.2, and PZ.2. The nature of the conflict is that I am of counsel with Carlton Fields, who represents First American Title Insurance; RUDG (Related Urban Development Group), LLC (Limited Liability Company), and the Miami Jewish Health Systems, in other unrelated matters; as well as Chalks Airlines, who has actively opposed the transfer of land to the Miami Children's Museum. Due to this conflict, I will not participate on these measures, and will abstain from voting. This is a public statement made in compliance with Section 112.3143 of the Florida Statutes. Thank you.

Chair Hardemon: Thank you.

Fernando Casamayor (Chief Financial Officer/Assistant City Manager): Good morning, Commissioners.

Chair Hardemon: You're recognized, sir.

Mr. Casamayor: Thank you. We'll be deferring FR.3 till the November 16 meeting, and RE.1 will be withdrawn.

Chair Hardemon: Start over again.

Mr. Casamayor: FR.3 will be deferred to November 16 and RE.1 will be withdrawn.

Commissioner Suarez: So moved.

Chair Hardemon: Are there any other items that any of the Commissioners want to withdraw --

Vice Chair Russell: Yes, Mr. Chairman.

Chair Hardemon: -- defer? You're recognized.

Vice Chair Russell: DI.2 is the proposal for the Olympia Theater. I understand there may be some public comment on the deferral, but they're still working some things out. I'd like to defer DI.2; same thing with DI.3, which is the Fort Dallas Park proposal.

Commissioner Suarez: Mr. Chair.

Chair Hardemon: You're recognized.

Commissioner Suarez: Can we take a vote on the ones that I moved, just because I cannot vote on the deferral of DI.2, because that's one of the items that I listed in my conflict?

Chair Hardemon: Even though the --

Commissioner Suarez: Yeah. I don't think we can even vote on deferrals when there's a conflict.

Unknown Speaker: Yeah.

Commissioner Suarez: Yeah.

Ms. Méndez: Right.

Chair Hardemon: Okay. So which one's in the conflict; the DI.2, DI.3?

Commissioner Suarez: Yeah. There was a few, but he -- the Vice Chair wanted to defer DI.2, so I can't vote on that; so if I could just vote on the ones that I moved.

Chair Hardemon: Okay. Are there any other items that anyone wants to defer? All right. So how about this --?

Commissioner Suarez: I can walk off for the deferral.

Chair Hardemon: Can you go use the restroom? Don't you have to use the restroom?

Commissioner Suarez: No, no. I'd have to --

Chair Hardemon: You would have to use the restroom.

Commissioner Suarez: Yeah. Okay. Can we do the motion --?

Chair Hardemon: Because I know when --

Commissioner Suarez: -- Can we just do my motion? And then, I'll walk off for the Vice Chairman --

Chair Hardemon: Okay. So the motion that was made in --

Commissioner Suarez: --which is FR.3, and withdraw RE.1.

Chair Hardemon: Is there a seconder?

Commissioner Carollo: Yeah, second.

Chair Hardemon: All right. It's been properly moved and seconded. Any further discussion on the motion to defer FR.3 and withdraw RE.1? Seeing none, all in favor, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: All against? That motion carries. Is there -- are there -- is there any other motion for deferral, et cetera? I believe the Vice Chair said he wanted to defer DI.2 and DI.3?

Vice Chair Russell: Correct. There may be some public who wants to --

Commissioner Carollo: Second.

Vice Chair Russell: -- comment on that.

Chair Hardemon: Okay. It's been properly moved and seconded to defer --

Todd B. Hannon (City Clerk): Chair, my apologies. Is that to November 16?

Vice Chair Russell: Two weeks; so, no; second meeting in October, please.

Mr. Hannon: Understood. October 26.

Vice Chair Russell: Thank you.

Chair Hardemon: Okay. It's been properly moved and seconded. Any further discussion? Hearing none, all in favor, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: Motion carries.

Later...

Chair Hardemon: I know there was a desire to hear SR.1 in the afternoon; and so, if there isn't any objection, I'll just -- we'll do that. So we'll hear SR.1 this afternoon. Other than that, we want to move forward with the business that we have. Right now --

Commissioner Gort: Mr. Chairman, I apologize. I'm not going to be here this afternoon.

Chair Hardemon: Okay.

Commissioner Gort: But I want to ask to defer SR.2.

Chair Hardemon: You said deferred until when?

Commissioner Gort: The next one.

Chair Hardemon: The next meeting? So the -- it's been properly moved to defer SR.1 and PZ.1 until the next like --

Commissioner Gort: And SR.2.

Chair Hardemon: SR -- and SR.2?

Commissioner Gort: Yes. Thank you.

Chair Hardemon: The motion that's been made -- I know this fly has been flying all over the place -- the motion's been made to defer SR.1, SR.2, and PZ.1 to the next meeting. As some discussion, the TUP (Temporary Use Permit) -- SR.2 is the TUP on the vacant land. I know we were under some sort of a -- some sort of time crunch as it pertained to an existing usage -- a temporary usage of vacant land, and especially in the Wynwood area. And so, I want to have someone address that, because I don't want to interrupt the business that is there in Wynwood. I mean, it's the Flagship TUP usage, and I think in the City of Miami. And so, if I can have any statements from the City regarding that area, particularly, and how it will be affected by a continuance.

Devin Cejas: Devin Cejas, Zoning Administrator, City of Miami. There are currently various TUP-owned vacant lands that we have throughout our City, and there's one in particular that, if I hear your question correctly, will be affected by possible deferral to this ordinance; meaning that if that TUP expires, they would need to disassemble their current status.

Chair Hardemon: So is there anything that the City can do to give them permission to -- Because we're addressing this issue. Is there anything that the

City Commission can do to give them permission to continue to operate while we're making this decision for an additional, say, 30 days, 60 days, or anything of that nature?

Barnaby Min (Deputy City Attorney): I need time to review the Code, sir. I'm sorry.

Chair Hardemon: Say it again.

Mr. Min: I need to review the Code in order to answer that question.

Chair Hardemon: Okay. And Commissioner Gort, I just want to be clear.

Commissioner Gort: I didn't say SR.1.

Chair Hardemon: You didn't say SR.1.

Commissioner Gort: SR.2.

Chair Hardemon: Oh, so it's SR.2. So what I'll do is then -- instead of addressing the motion right now, let's give them some time to do some research to see if that particular site can have some sort of extension during the time that we're making a decision about this, and then we'll go from there. Is that okay?

Commissioner Gort: All right.

Chair Hardemon: All right.

PUBLIC COMMENT PERIOD FOR REGULAR ITEM(S)

Chair Hardemon: At this time, what I'd like to do is open up the floor for public comment. If you're here for any of the morning agenda items, this is your opportunity to speak before this board, so what I'd like you to do is approach any of the two lecterns and state your name, first and last; you may state your address; and then, which item it is that you're here to speak about. So once again, this is the public comment section of our agenda. If you're here to speak on any of the morning agenda items, state your first, last name; you may state your address; and which item it is you're here to speak about. Mr. Mayor, you're recognized.

Mayor Tomás Regalado: Thank you very much, Mr. Chairman. I was here at the last meeting, supporting RE.4. I'm here today, but today I'd like to yield my time to a colleague, a person that -- in law enforcement as -- also as a Commissioner -- have been for many years engaged in the public benefits that Miami Outboard Club has given the City of Miami. So it's my pleasure to introduce former Commissioner Joe Sanchez.

Chair Hardemon: It is.

(Applause)

Commissioner Joe Sanchez: Boy, it brings back a lot of memories.

Chair Hardemon: And they still know you.

Commissioner Sanchez: Thank you, Mr. Mayor. Thank you, Mr. Chairman, Mr. City Manager, Commissioners, for this opportunity. I'm here today to speak as a former Commissioner and as a resident of the City of Miami. My involvement with the Miami Outboard Club was when I was a Commissioner. I reached out to them, because we had a State Trooper whose wife was paralyzed in an accident, and we needed to find a place to host a fishing tournament to be able to raise money for -- so we could build a ramp for his wife. Not only were they there when I approached them, like a month before the fishing tournament; they did all the work to get that fishing tournament going and they raised money, and we were able to help that family out. That was my involvement with the club, and I knew that I had to be a part of that club. And I take great satisfaction in telling you that that club is open to the public. That club is open to all of you, if you want to do events with your community, like I did. It is open to you, and they will treat you like if you were a family member there. I participate every year in the many events that they do, and I could tell you that this club is a fiber of this community. This club provides meals in Christmas for a variety of elderly needy people in this community that represents all your districts, because I'm there to help pass out the food every year. We also do the Thanksgiving meal that the club does, and I could tell you the dedication of this club for community involvement, it goes beyond what other clubs do in this community. Since 1938, that fiber has been there to help this community and be a part of this community. But I'll tell you, the greatest satisfaction that I get every year is taking the inner city kids, going out fishing, which they've never seen the blue ocean, and yet, they live less than a mile away from the beaches. And when they go out there and they fish with us and they interact with us, and we teach them about going out there, you know, not polluting the ocean, taking care of the resources that we have, follow the rules when you fish; there are rules out there that need to be followed to be able to preserve our quality of life and what we enjoy doing, it is incredible. The boat parade that we put every year continues to grow through the hard effort of every member and volunteers that helped us out. And we reached out and partnered up with the City. The City is one of the main partners in that boat parade with Bayfront Park, which assists us, and it's completely free to the public. I could really stand here and talk to you about all of the great things they've done in this community and they continue to work very hard; but one of the very few clubs that provides scholarships, believe it or not, and we're always there for the community. So, Mr. Mayor, thank you very much for this opportunity. As a former Commissioner, as a resident of the City of Miami, and someone who continues to be very involved in this community, I implore you to support this item and approve this item. Thank you.

Chair Hardemon: Thank you very much.

(Applause)

Chair Hardemon: So I -- in the Commission, we don't allow clapping in the dais -- I mean in the gallery -- but I allowed that, because, I mean, of who that gentleman is. I think he deserves our respect in that sense. But for every other eloquent speaker that comes up, if you want to show your support for them, you can give thumbs up, you can wave your spirit fingers, you can stand; I mean, you can do a number of different things. But I ask that you not interrupt with clapping, because then, I have to stop and allow you to calm down and give this whole speech, and it takes up more time. So I appreciate your enthusiasm; but remember, we show silent appreciation for speakers, okay? You're recognized, sir.

Brett Bibeau: Thank you. Good morning. Brett Bibeau, managing director of the Miami River Commission, with offices located at 1407 Northwest 7th Street; here to read Chairman Horacio Stuart Aguirre's letter into the record on PZ.6, which is the appeal of an issue of warrant. "During a public meeting held on January 23,

the Miami River Commission considered this warrant application, which was subsequently approved by the City of Miami. The Miami River Commission, subject to adopted public meeting minutes, state in part, quote, 'Ms. Sandy O'Neil made a motion for the Miami River Commission to adopt their Urban Infill Subcommittee chairman and Greenway Subcommittee chairman's suggestions for the Miami River Commission to recommend approval of the updated subject warrant proposal, with the following conditions: Number one, that the site demonstrates continued marine use; and number two, that the site demonstrates public river walk, per approved plans and letter of intent. The motion failed by a vote of 6-5. Miami River Commission Chairman Aguirre asked if anyone wanted to make another motion for consideration, and no other motions were made,' close quotes. Therefore, the MRC (Miami River Commission) did not recommend this project, as proposed." The other two items in the distributed letter, FR.3 and DI.3, were deferred, so I'll skip that part of the letter. Thank you.

Chair Hardemon: Thank you. You're recognized, ma'am.

Truly Burton: Good morning -- excuse me; allergies; sorry -- Good morning, Mr. Chairman and members of the board. My name is Truly Burton, executive vice president for the Builders Association of South Florida. I'm here on SR.1 and PZ.1, which are the art tax. But since there's one item now and one item in the -- right after -- at 2 o'clock -- would it --

Chair Hardemon: You can speak at both, if you'd like. You can speak now and --

Ms. Burton: I'm thrilled. Twice you get to hear me. Thank you. You received the Builders Association's official position outlined in a letter, along with a second piece of correspondence from a distinguished law firm about some concerns that we have about a recently adopted statute. Back in 2015, the legislature adopted a much more stringent standard for these types of fees to be adopted, and I think it might have some bearing on the ordinance; but regardless, I'm here to talk about some priorities. And Mr. Chair, you really hit the nail on the head. I love this one, okay? Everybody see this? It's great; it is affordable housing. That's what our builders build; housing and apartments that people can afford to build [sic], okay? That's a priority. Second, we heard -- and I saw the signs this morning coming down bay -- South Bayshore Drive -- flooding -- you know, "Please be careful; there's flooding," okay? Flood prevention is very important. I know Mayor Regalado has been on TV (television), and others. You all have also been on television about it. I don't want to see on CNN (Cable News Network) that we have the Brickell Avenue Lake, or the South Bayshore Lagoon. You know, we're better than that, okay? This, along with transit, which was an excellent presentation by Chairman Bovo and the MPO (Metropolitan Planning Organization) director, really are the top priorities that I see for this City. Second, as to that, the real estate development industry has really been a leader for the past 15 years. They've been voluntarily installing and erecting public works of art throughout this City. Further, you should be very proud that Wynwood has developed its arts program and its arts community organically; voluntary, no fees, no pay -- no higher rents, no fees on small business, no board, no regulations; voluntary, okay? So finally, again, as -- just to refer back to that 2015 statute, it may have been that the ordinance that you all are looking at may have been developed prior or just as that law was coming into being, and it might be worth the Commission's time to have that evaluated. That statute sets up a much more stringent set of standards before any impact fee or new fee on residents on any kind of development can be imposed, so I would just ask you to take a look at those things. Finally, we do ask that you ask your staff to -- direct the staff to withdraw -- to take -- to come back to you with an incentive-based arts program. As I said, real estate industry has been the leader, and they've been supporting public works of art. They've been installing them for the past 15 years. But an

incentive-based program is the way to go, and if your staff can develop that at your direction, we would be happy to participate in that process. Thank you, Mr. Chairman.

Chair Hardemon: Thank you. You're recognized.

Maria Gralia: Good morning. Excuse me, Mr. Chair, Commissioners. Maria Gralia, at 150 West Flagler Street. I represent Flagstone Island Gardens, and I'm here on item RE.2, and this is the -- it's to transfer approximately 29,000 square feet of land on the southwest side of Watson Island to the Miami Children's Museum. We have no objection to the Miami Children's Museum or its expansion. However, Flagstone objects to the granting of any easement that would interfere or may interfere with Flagstone's leasehold interest or easement rights that have been granted to Flagstone by the City of Miami. As the Commission is aware, there is an injunction in place that prohibits the City from interfering or altering any of Flagstone's -- excuse me -- leasehold interest, and that order was dated June 23. That can be found on Paragraph 4A. I'd also like to submit to the record the easements that have been granted to Flagstone, and there is a south road permanent easement, and this easement is effective during the entire lease term. It is recorded in OR Book 26598, Page 1439 -- excuse me. There's also a temporary easement over Parcel "C," recorded in OR Book 26598, Page 1439; and as well, another temporary easement over Parcels "A," "B," and "C" -- I apologize -- in Book -- in RO [sic] Book 26102, Page 2922. All these easements are currently in place and effective, and I just want to just submit this objection on the record today. I am not absolutely a hundred percent certain that the easement being -- what -- I mean the conveyance being discussed today for the Miami Children's Museum affects any of these easements, but if it does, we want the objection on the record. Thank you very much.

Chair Hardemon: Thank you, ma'am. You're recognized, sir.

Ben Solomon: Good morning, Mr. Chairman, Commissioners. Morning, Mr. Mayor. Ben Solomon, 1200 Brickell Avenue, Penthouse 2000; president of the Builders Association of South Florida; echoing the comments of our executive officer in opposition to PZ.1 and SR.1, on the opposition to the art tax. There's a lot of reasons that this ordinance will not work well for the City of Miami, but among others, one of the number one reasons is because it will pass on those costs to the consumer. We all know that adding cost to development and construction translates into higher housing costs, and that's not something that we think is a good idea for the marketplace. Also, you know, Commissioner Bovo made a great presentation this morning. There are higher priorities of the City. Traffic, infrastructure, we believe come much higher than the imposition of a mandate on art. Also, the timing of this proposal is not great, because, as we all know, the market has cooled; sales volume is down. So to impose more taxes and ordinances on builders at this stage, we think is not a wise decision for the City. And lastly, artist objective; the idea of mixing government and art in a city, in my observation, which has more art than almost anywhere else. I sat on Friday and watched two high-rise towers be proposed to the Urban Review Design Board, and what we saw was the voluntary art incorporated into the project; mosaics, murals; new projects, like the SLS (phonetic); boteros on the corner; colorful designs on the side of the building. So it's being done, and we hope that the board will look to not, you know, mandate this, and provide an incentive-based program. And lastly, on another agenda item for today, I'd like to voice my support for the discussions regarding the Olympia. I understand we'll probably defer that item for today, but it's an important asset to the City. We need to revive it, we need to save it, and I hope this Commission will do that. Thank you.

Chair Hardemon: You're recognized.

Yuri Mercado: Good morning, Chairman and Commissioner. My name is Yuri Mercado, education coordinator for Center Hispano. I'm here to support RE.4 for the Miami Outboard Club. These are the type of organization that we need to continue to support. Not only do they bring revenue to the City, but they also give back to the community. They are -- they provide services for our children in need during the holidays, as well as they continue to support us when we need finance support to support our teaching staff. So on behalf of my 237 children and family and my 32 teaching staff, I implore you to please continue to support Miami Outboard Club. Thank you.

Miguel Sanchez: Good morning, Mr. Chairman and Commissioners. My name is Miguel Sanchez. I am the president and founder of Miami Power Team Foundation. I'm coming here to support Miami Outboard Club. I want to thank you all for granting me the opportunity to speak today here. The Miami Power Team has been since 1995 -- 22 years -- helping children with disabilities, terminal illness, cancer, autism, Down syndrome, and any physical disabilities. Our foundation is composed 400 volunteers; we don't have a salary for 22 years. We have more than 1,500 of children with disabilities, and we are a hundred percent dependent from donations to keep helping our children. In this moment, we are a hundred percent dependent in donations from individuals and private companies, and organizations such as the Miami Outboard Club. Every year, the Miami Outboard are hosting different tournaments. In the last years, we have been involved with Universo Marino Fishing Tournament to benefit the Miami Power Team children. These activities allows the Miami Power Team Foundation to grant children with disability the opportunity to hold, touch, and take picture with giant fish; in many cases, for the first time in their life, and for the -- in other cases, the last time in their life. In every tournament our special children receive trophies, along with the winner of the tournament. These moments means everything to these children. To many of us, 40 years of age may be a lot, but for children with disability, there is a lot -- big different. A child can grow to be 45 years old and still be a child of six or nine years of age, mentally. The children who come to the Miami Power Team see photos and videos of these events, and they hope that they will very soon have the opportunity to participate in these fishing tournaments.

Chair Hardemon: Thank you, sir. Your time is concluded.

Mr. Sanchez: Okay.

Chair Hardemon: I appreciate it. Thank you.

Mr. Sanchez: Thank you.

Chair Hardemon: You're recognized.

Sonia Quezada: Good morning. My name is Sonia Quezada; address, 970 Southwest 1st Street. I'm also here in support for RE.4. I am now a case manager at one of the child development centers that Miami Outboard Club brings toys to. I'm also a former parent for Centro Hispano, where both my daughters for three years were recipients of these Christmas toys, and just supporting them. They're -- it's really good what they do for the community and for our kids in the low-income child development centers. And that's it. Thank you.

Chair Hardemon: Thank you. You're recognized, sir.

John Moreno-Escobar: Good morning, Mr. Chairman and Commissioners. My name is John Moreno-Escobar. I am the director of operations for Hispa. We're a

national organization. The -- brings role model Latino professionals to the schools around the nation, and we been here for around two years, thanks to the leadership of the Mayor and the Office of the Mayor, here in Miami. And I'm here to support RE.4 for the Miami Outboard Club. I just wanted to make sure that everyone understands and the Commissioners understand, especially the ones that are against the lease extension that it is important for this community, especially here in Miami, where we have a highly populated areas of Latino students. And in the school that we work, which is Miami Senior High, that this program will not be possible if it's not by the help of organizations like this one. There has been since we came into the City different events that have supported our organization in order to raise funds to keep the program going and make sure that these students receive the support they need to be ready to go to college, or be career-ready, in order to be successful and actually accomplish their goals. So I want to make sure that this Commission and everyone else who is having a doubt of the amazing work that this organization does that we have -- Hispa -- all the support for this organization, and we want to make sure that you understand that the 300 students that we serve and all the educators that benefit from our program will be grateful if you guys make sure that this RE.4 is actually passed, with positive vote for this amazing organization again. Thank you.

Gladys Palacios: Good morning, Chairman, Commissioners, and Mayor. My name is Gladys Palacios, 144 Northwest 26th Street, Miami, Florida 33127. I represent Catholic Charities Child Development Centers, and today I'm here to support the help that Miami Outboard Club is giving to all our child development centers every year. And I think that this community need more agency like this, this organization that give back to the community. So I just want to say thank you to all of you, because I guess everybody have said everything else. Thank you.

Clemente Gonzalez: Good morning. My name is Clemente Gonzalez. I'm past commodore of the Miami Outboard Club. My address is 11 Shore Drive East, Miami, Florida 33133. Like the Mayor said before, I spoke last Commission meeting. I'm not going to take a lot of your time, but there was -- I know there was some concerns about the kids' fishing tournament that we have done, and maybe the pictures and stuff. So I did reach out to the department that we work with in the City, and I was able to get from them, and I just want to let you know that in 2006, the following parks brought kids to our premises for the fishing tournaments that we do for them. That would be Curtis, Hadley, Reese, Coral Gate, African Square, Legion, Robert King High, Fern Isle, Westin and Virrick; that was in 2016. In 2017: Shenandoah, Curtis, Range, Williams, Kenlock. Little Haiti Soccer, Reese, Coral Gate, Legion, Robert King High, Fern Isles, Westin; and this year, we're able to bring the Sandra De Luca Center with disability kids, as well. They made it to our docks and learned about fishing, about conservation; and the last time, there was a couple of questions about that. We were able to bring some of our recipients today, as you've seen. It's hard to bring everybody, because pretty much, as you know, they all work and they can't leave work. So I leave you with that, and we look forward to continue our partnership with you guys for the years to come (UNINTELLIGIBLE). Thank you very much.

Chair Hardemon: Thank you, sir.

Commissioner Carollo: Mr. Chairman, real quick. Just for the future, Jose Martí Park, Henderson, those -- East Little Havana; so just if you can note that. I know Little Havana doesn't have many parks, but Jose Martí Park, Henderson Park.

Mr. Gonzalez: Henderson?

Commissioner Carollo: Henderson.

Mr. Gonzalez: Henderson, okay. We'll make sure that those arrive. And like I said, we do --

Commissioner Carollo: And --

Mr. Gonzalez: -- work with the department, and they're the ones that tell us who are coming.

Commissioner Carollo: -- Riverside Park.

Mr. Gonzalez: Riverside, okay.

Commissioner Carollo: All those are in East Little Havana. They were not mentioned, and -- especially Riverside. We've had quite a few shootings right by the park.

Mr. Gonzalez: I understand, and I'll make sure that the Department of -- I guess it's the General Recreational Program. I'll let them know. Like I said, we set up and they're -- they send the buses. But I'll make sure that happens.

Commissioner Carollo: And you can clearly see that Little Havana was not represented in the parks that you all --

Mr. Gonzalez: Okay.

Commissioner Carollo: -- were mentioning, and part of why I had mentioned in the past, "Where is this happening?" because Little Havana has not been represented, so I want to make sure that at least you know those parks, and they're at least in your thoughts.

Mr. Gonzalez: I -- They will not be in our thoughts; they will be present, I guarantee you that from now on. And like I said, it's -- You guys tell us who's coming, but I'll make sure that that department gets this note. Thank you very much.

Commissioner Carollo: I understand; it's just -- it's been a pattern of this Administration continuously, I guess, overlooking Little Havana, and we see it once again.

Mr. Gonzalez: Yeah.

Commissioner Carollo: So thank you. And by the way, nothing that you have done anything wrong --

Mr. Gonzalez: I understand.

Commissioner Carollo: -- because I understand the Administration is the one who provides the list or provides which parks, but there's been a pattern with this Administration that continuously, it is proven time and time again.

Chair Hardemon: Thank you, Mr. Gonzalez.

Mr. Gonzalez: Well, we have our (UNINTELLIGIBLE). Thank you.

Chair Hardemon: You're recognized, ma'am.

Hattie Willis: Good morning, Commission; and good morning, Chair, and congratulations to you. And I wanted to -- first of all, I just want to say thank you.

I'm here from Communities United. The address is 4332 Northwest 17th Avenue, Miami, Florida 33142. I been working in the community for the last 30 years; and before that, I was working in nursing; and then, I started doing disaster preparedness. Right now, I'm standing here because I want to agree with Commissioner Gort on RE.8 and FR.4. But one of the things I want to say before I finish this really, really quick is congratulation to Commissioner Hardemon for his extraordinary work during the disaster that we just incurred in our community. It could have been a lot more people that died; more than just the people in the other old folks homes. I just want you to recognize that every senior tower, someone's grandmother or mother lives in those towers. It should not be a different code for a nursing home or a hospital as it is for a senior tower. It should be a emergency disaster plan. There should be staff there. There should be someone looking for -- at -- taking care of them; not only as well as they should be on a grid, just like the hospital so when the lights go off, the lights come on. We've got to do better at taking care of our seniors. I'm begging and implore you guys to come up with more money and more communication, and we need to come up with a better plan. I wrote out some outlines, and I know I only had a brief moment to speak, but I'm imploring you that the seniors has to be taken care of better, and the housing must be better. The only thing I'm going to add to that is everyone says, "Where the money is going to come from?" I think that the Code should change and the developers should add that in there; when they're building, it should be built in. We have four new towers coming up in our community right now, and none of them have that Code. We've got to do better. Thank you, sir.

Chair Hardemon: Thank you.

Ms. Willis: And I appreciate the time. Thank you.

Chair Hardemon: Sir.

David Polinski: Good morning, Commissioners. My name is Dr. David Polinski, 250 Northwest 24th Street, Wynwood, Miami. I'm here today representing the Wynwood BID (Business Improvement District) Board of Directors, of which I'm a member, to speak on SR.1 and PZ.1. As you probably read, the Wynwood BID Board, at its reg -- publicly noticed meeting yesterday withdrew its support of AIPP (Art in Public Places), contingent on some requested clarifications in changes around the Wynwood carve-out. We would like to respectfully request that the items SR.1 and PZ.1 be heard together this afternoon. There's a large number of members of the Wynwood community who would like to speak to the need for clear language and a clear path to a carve-out for Wynwood, and also to speak of our positive experiences in developing our own homegrown art in public places system. So I think you're you received copies of the revisions to the PZ.1 that we're looking for with respect to the Wynwood carve-out, and we're afraid that if SR.1 is approved as currently drafted this morning, there may be conflicts with the version that's approved this afternoon. Thanks so much.

Robert Geitner: Good morning, Chairman, Commissioners. Robert Geitner, executive director, Olympia Center, Inc., Olympia Theater; speaking in reference to discussion item 2, although it was deferred, and I'd like to read a statement from our board of directors into the record. Olympia Center, Inc. is a 501(c)(3) nonprofit, formed specifically to manage, activate, program and preserve the Olympia -- Historic Olympia Theater and office building for our community and for future generations of Miamians. We have reviewed the unsolicited proposal submitted to the City of Miami from Related Urban Development Group. The Olympia is a landmark that was constructed in 1926 and gifted to the City as a cultural arts facility by the Maurice Gusman family in 1975. We do not believe that the proposal, as submitted, is in the best interest of the City of Miami and as taxpaying citizens, owners of this National Registered listed historic community

asset. The proposal, as submitted, does not present best efforts at preservation of the Historic Olympia Theater and Office Building for future generations of Miamians. The density of development, as proposed for the site, and the demolition involved to achieve it may not be in the best interest of the Flagler District of downtown Miami and its residents, businesses, and property owners. The proposed intents and almost exclusively residential use is not in the best interest of the Olympia Theater and its operation as a cultural center in downtown Miami. Olympia Center, Inc., would like to see a vision-driven, open and public process used to define any future redevelopment of the Historic Olympia Theater and Office Building to ensure that the community that owns this important regional cultural landmark asset has an opportunity to participate in determining its future. I'll add that while the deferral to the 26th doesn't feel like a lot of time, I look forward to coming back and mustering support for a vision-driven, not project-driven project for this site. Thank you.

Commissioner Carollo: Mr. Chairman? Just real quick, I just want you and everybody to know that that item has been deferred.

Mr. Geitner: Yes.

Commissioner Carollo: Okay.

Mr. Geitner: Thank you.

Chair Hardemon: You're recognized, sir.

Nelson Stabile: Good morning. Nelson Stabile, resident at 2031 South Miami Avenue. This morning -- Thank you for having us. I'm here to speak in opposition of item SR.1 and PZ.1, which is more commonly known as the arts tax. As a resident of Miami for 24 years, I -- we have certainly had the pleasure of actually experiencing all of the positive growth that has happened with the City, and not that we are -- you know, personally, I'm not in opposition of the -- of this particular initiative, but I am as it's currently drafted; mainly because, you know, some of the changes that happened with the City in the growth in the past -- especially 10 years -- has been, you know a lot of population. And last year, you know, the cost of housing has increased so much we got ranked the number one least affordable city in the country, right? So to add another layer of tax or impact fee, however we want to put it, that would basically raise the cost of construction and ultimately be something that would be passed through to the residents, I actually think it's -- you know, it goes against everything that we're trying to do in actually making the City a little bit more affordable. In addition to that, unfortunately, it seems as though there was one particular type of development that was targeted. And while -- you know, I -- we are -- I'm very much in support of a incentive-based sort of, you know, taxation for the arts, where, you know, we could actually raise some funds for, you know, the cause, but why not spread it across, you know, multiple types of developments where the private residential development site can be least impacted, and we can also achieve the ultimate objective? So in essence, I'm just here to oppose PZ.1 and SR.1 as currently drafted. We're very much in support of a incentive-based initiative. Thank you very much.

Charles Garavaglia: Thank you. Good morning, Commissioners. My name is Charles A. Garavaglia. I live at 1920 Southwest 36th Court in the great City of Miami. I am your chairman of the Planning, Zoning & Appeals Board for this great City, and I'm here just to encourage you during your discussion item today to reinstate healthcare insurance to the board members. We meet two to three times a month. The last meeting lasted close to midnight. We're a valuable asset to this City. We do tremendous amount of work and deep thought in all the items

that eventually come to you for review. It's a benefit that we used to enjoy many years ago before the City announced a financial crisis. The board has passed a unanimous motion to bring it forward to the City, to the City Commission for discussion; and hopefully, you'll move forward with legislation that will bring that needed benefit back to your board. Your City residents, who work day in and day out to ensure that the best projects get before you, allowing all the public input that we can afford, based on the amount of time we have. So again, I encourage you to support the discussion item and move forward with legislation to reinstate. Thank you for your time.

Chair Hardemon: Thank you, sir. You're recognized.

Deborah Spiegelman: Good morning, Commissioners. Thank you for the opportunity to speak to you today. Deborah Spiegelman. I'm CEO (Chief Executive Officer) of the Miami Children's Museum, 980 McArthur Causeway. I'm here representing the 430,000-plus children and their families who enjoy the Miami Children's Museum each year. As you know, we've been open for 14 years on Watson Island, and we have enjoyed and appreciate the wonderful partnership we have with the City of Miami. We're here today talking to you about providing a better entrance. We are the gateway to Miami. We are most concerned with the safety and the security of children and their families. We thank you for your consideration of RE.2 and for your moving forward to help us enhance the daily experience for children at the museum.

Chantal Farinas: Good morning, Chairman and Commissioner. My name is Chantal and I come from Miami Stadium Apartments, and we just want to say thank you to the Miami Outboard Club for each and every year giving back toys for all of our events to be able to give back to the community and that they may continue for many years.

Chair Hardemon: Thank you. You're recognized, sir.

Alberto Milo: Mr. Chairman, Albert Milo, principal of Related Urban. Just -- I know the item's been deferred, but I wanted to just put a few things on the record of a point of clarification as it relates to DI.2, the proposal for the Olympia Theater. I think there's a few misconceptions out there as far as the fact that somehow, we want to demolish the theater, which is not correct. The idea is that we want to find a use that we can redevelop the residential portion of the site into a mixed-income community along the lines of the ordinances that have passed by this body to have a percentage of the building be affordable; the rest of the building be workforce, along the lines of the Obtainable Housing Ordinance. And the premise behind that is to try to, number one, address the two major needs that you have with the property. You have a major capital improvement need, because the building is in -- and the façade, specifically -- is in very bad shape, and it continues to deteriorate. And then you have an operating challenge on the operation side. So the idea is to form a partnership with the City and allow the City to participate in that to be able to renovate the facility and subsequently help subsidize the facility. So -- and the City has done its part. I think the City has appropriated \$3 million over the last three budget cycles in order to work this process out. And with all due respect to Mr. Geitner and his board, you know, over five years ago, they were given the opportunity and the task to try to, you know, recapitalize this asset and get it out of the red. And here we are today now, over five years later, and basically having the same discussion. We're for the deferral. We will continue to have discussions and look forward to the opportunity to come back in front of this board. Thank you.

Chair Hardemon: Thank you very much.

Al Crespo: Well, how are you all?

Chair Hardemon: Doing well, sir. How 'bout yourself?

Mr. Crespo: Al Crespo. Been a while. Happy to see some of you. Glad you're back. So I'm here to talk to you about a couple of items. Item Number 1 is the Children's Museum request for you to give them 25,000 square feet of City property. I wrote a story yesterday, and I've written in the past about the fact that it's my belief and my contention that the charter school that operates there has been operating there illegally since it was started. I provided all the documentation that I felt was supportive of that position and that argument, but I'm not here to talk about that. I already wrote about that. I'm here to talk about the fact that this was an unsolicited proposal. Somebody walked through the door and said, "Hey, we'd like to have 25,000 square feet of your City property on Watson Island." Every time other people have asked for other City property in unsolicited proposals, you put it out for RFP (Request for Proposals), and that's what I think needs to be done here. Before you move and decide anything, this should be put out for an RFP, like the Parking Authority put out RFPs on their properties, like Miami-Dade County [sic], you know, Community College put out the RFP for that big parking lot on Biscayne Boulevard. You know, you should just not give this to them. Who knows? You might find somebody that actually might want to give you money to have those 25,000 square feet. The second issue I want to raise very quickly is, Commissioner Suarez, you had a proposal, and you want to put these cones and block off portions of 22nd Avenue. At the budget meetings, you withdrew the money. Two days ago, there were high school children standing on the street corners counting cars. When people came up to ask them, "Hey, what are you guys doing," they said, "Oh, we're full-time employees of a company that hired us." When they were pressed, they admitted that they were high school children being used for free. Yeah, that's exploiting [sic] high school kids. That should not be allowed to happen, regardless of what it is, what proposal, or anything else. Exploiting high school kids and telling them to lie if somebody asked them what they're doing there is not a good thing, so I think that needs to be addressed.

Commissioner Suarez: Yeah. Thank you. I got that complaint from other people. I called the -- our CIP (Capital Improvements Program) director and asked him to investigate that, because obviously, that's unacceptable. And I was told that they are, in fact, high school students, or were recently graduated high school students. I did not know what you just said now that they working for free.

Mr. Crespo: That's what I was told.

Commissioner Suarez: So we'll investigate that. And certainly, that's unacceptable. So I appreciate that.

Mr. Crespo: Okay. And again, next time I come, might be new faces here. And there's always a possibility, as Crespo (UNINTELLIGIBLE) predicts, there might be a perp walk. Bye.

Mike Smith: Good morning. Mike Smith, 3180 Southwest 19th Terrace, 33145. I'm here to talk about ER [sic].4, I believe. It's the amendment. Earlier last week -- we were here two weeks ago, and we talked about legacy. Well, this club has been around since 1938. We've been at the same spot since 1946. We do -- as Joe Sanchez said, we do a lot of events for the City of Miami. As far as Little Havana, I grew up in Little Havana and I went to Centro Mater when I was younger, and I'm getting kind of emotional because it does hit me in the heart. My parents were

very -- not well off, and I remember the Miami Outboard Club, - going to the Miami Outboard Club when I was a little kid, and even back then, they would do events for the City of Miami. Also, in 19 -- in -- during World War II -- I don't know if any of you guys know it -- but the history, as a former veteran and as a law enforcement officer, that (UNINTELLIGIBLE) hits me at home, because we had the Civil Air Patrol Marine Unit. That unit was responsible for going out and detecting U-boats that would be out in -- German U-boats and the thing. No other club here in the City of Miami has that or has that history. All right. I plead with you guys today -- I mean, we can't compete against the Hilton or whatever, but we could do a lot more than a Hilton or anybody that you guys are going to put in there. I plead with you guys today. I want to see a full vote from all of you guys. And I welcome you guys to go on Sunday, November 19, to the seniors' Thanksgiving dinner, because everyone here is going to have a constituents there. All right, everyone here is going to have somebody that votes for them in that event. Plus, we have the toy drives coming up, so we need you guys' help to help us raise more toys and provide for more people. And also, Ms. Willis, she also said earlier, you guys have four more towers going up. That's going to be also four more towers with seniors in it. All right, if you guys asked us to build a freaking 20-story building to put those seniors in for the Christmas dinners and Thanksgiving dinners, we're going to do that. We're here to help you guys, but we need every one of your vote, and we need you guys today to please pass the Miami Outboard Club. All right, thank you.

Steven Wernick: Good morning, Mr. Chair, Commissioners. Here on a couple of items. First, with respect to SR.1, which is a companion to PZ.1. I think a couple of people have mentioned it, but there are, I think, a number of people who are planning to come in the afternoon; and if those items can be taken together after 2 p.m., I think that would be efficient and make sense. Also here on RE.4, in my role with the Waterfront Advisory Board, just to represent that we've -- we heard this item, I think, back in May, and there was a recommendation to approve and support the Miami Outboard Club. Thank you for your time.

Peter Ehrlich: Good morning, Mr. Chair, Commissioners. Peter Ehrlich. My address 720 Northeast 69th Street and I -- speak briefly on two items: RE.1, which is an item sponsored by Commissioner Suarez regarding transparency, I hope you hear this item today, and I support it. I'm also speaking regards to RE.2, the Children's Museum item. The director, Ms. Spiegelman, called the site "the gateway to Miami"; yet, unfortunately, it's defaced with three or four LED (light emitting diodes) billboards, which harass drivers, residents, and tourists visiting Miami Beach and the City of Miami. We would ask that this item go to the voters as a voter referendum. Thank you very much.

Chair Hardemon: Thank you, sir. Hello? Is there any other speaker that would like to speak?

Alejandro Ernesto Rodriguez: Good morning, Commissioners, Chair, ladies and gentlemen present. My name is Alejandro Ernesto Rodriguez, and I was born and raised in this beautiful city, in Little Havana, actually. My mother raised me alone, and for the past two decades, the father figures that I have experienced come from the Miami Outboard Club, and -- which I am here in support, obviously. And if it weren't for these gentlemen, I would not be a four-year Marine Corps veteran, with one tour successfully completed. I just completed my bachelor's in psychology. Who knows where I would be? Who knows the outlook of my life? And that's really all that I would like to share right now. Thank you for your time.

Chair Hardemon: Thank you, sir. Seeing no other person that would like to speak during public comment, I'm going to close the public comment section at this time.

AM - APPROVING THE MINUTES OF THE FOLLOWING MEETINGS:**AM.1**

City Commission - Regular Meeting - Jul 13, 2017 9:00 AM

MOTION TO:	Approve
RESULT:	APPROVED
MOVER:	Francis Suarez, Commissioner
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Suarez

Chair Hardemon: Is there a motion to approve the City Commission meetings --?

Commissioner Suarez: So moved.

Chair Hardemon: It's been properly moved and seconded to approve the City Commission meeting minutes of July 13, 2017. Any further discussion? Hearing none, all in favor, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: Motion carries.

MV - MAYORAL VETOES***NO MAYORAL VETOES***

Chair Hardemon: Are there any mayoral vetoes?

Todd B. Hannon (City Clerk): Chair, there are no mayoral vetoes.

Chair Hardemon: Okay.

END OF MAYORAL VETOES

PA - PERSONAL APPEARANCES**PA.1****2923****Commissioners
and Mayor****PERSONAL APPEARANCE**

PERSONAL APPEARANCE BY EXECUTIVE DIRECTOR OF MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION (TPO) TO PRESENT THE STRATEGIC MIAMI AREA RAPID TRANSIT (SMART) PLAN.

RESULT:	PRESENTED
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Chair Hardemon: There are -- there is a personal appearance. I'd like to call on the Miami-Dade TPO (Transportation Planning Organization) to present the SMART (Strategic Miami Area Rapid Transit) Plan on PA.1.

Commissioner Suarez: Thank you, Mr. Chair. This is a personal appearance that I requested at the request of the chair of the TPO that I vice chair; and also, the executive director, Aileen Bouclé; and Esteban Bovo, who are here. I think we've had some presentations on the SMART Plan in the past. I think they want to update us on the things that are happening, and a lot of exciting things are happening in reference to the SMART Plan. So I'd like to recognize, with your permission, either -- the chair of the TPO; and the chair of the County Commission, Esteban Bovo.

Chair Hardemon: Welcome, Chairman.

Miami-Dade County Commission Chairman Esteban Bovo: Thank you, Commissioner. Thank you to all of you for having us here. And let me congratulate all of those that were receiving awards today for their efforts during the hurricane cleanup. You know, obviously, all of us had a sense of community after the storm, and it's very gratifying to see, really, the community not waiting for the Government to do things, but, in essence, taking charge and getting things done. Commissioners, as you well know -- and I don't need to tell you this -- transportation has become the number one issue in Miami-Dade County, if you consider sustainability, economic sustainability, long term, as we aspire to leave a better community for our children. And as we aspire to continue the growth and economic opportunities in Miami-Dade County, it becomes apparent to us that being stuck in traffic is not the path that we should be taking. Our traffic situation now in Miami-Dade County affects every corner of the County. Whether you live in Aventura, whether you live in Homestead, Florida City, Hialeah, Miami Lakes, points in between, there is traffic at every single point in our community, and it's no longer a morning traffic or an afternoon traffic; it is 24-hour traffic. Imagine the quality of life that residents in Miami-Dade are living when they're stuck hours per day in their car times per week, per month. We're giving up years of productivity, of quality of life in our cars. And I will tell you, that ultimately is a crippler to our opportunity to sustain ourselves. It is something that I firmly believe we need to address. It's going to take hard decisions, but in -- but the decisions, I think, that are going to set a footprint for us to continue, like I said, being able to lure investment to -- in our community. Aileen Bouclé, the executive director of the TPO, has been working with us, along with myself and the vice chair of the TPO, in not only forging a plan, but also identifying how do we pay for it, because ultimately and critically, we need to be able to inform our public how do we pay for things. Let's be honest on a couple of issues. The half penny that was -- that's levied now for transportation, the County has failed. The County has failed in its promise to deliver a robust transportation system. I didn't make that promise, and none of you

that are sitting up here made that promise, but I believe strongly that it is our fiduciary responsibility to the residents of Miami-Dade County to either fulfill that promise or perhaps then change the dialogue completely. What she is going to present to you today is not only the SMART Plan; she'll speak a little bit about the financial components of the plan. But before she does that, I want to just one more time reiterate, we owe a generation that's coming a better opportunity. I feel strongly that if we want to sustain Miami-Dade County, if we want to be serious about luring big businesses like an Amazon to consider Miami-Dade County, then transportation -- we need to check that box off. I think we do a good job in healthcare; we do more than adequate in education; we do more than adequate in affordable housing, but we fail miserably with the issue of transportation. And like I said, it does not matter where you live; it does not matter what political party; it does not matter the color of your skin, your religious belief. Transportation addresses and affects all of us, and it's something that we need to now move on. And I want to -- before I turn it over to her, I want to thank you. I want to thank the vice chair of the TPO for not only the leadership, because you've gotten it here in the City of Miami. You've taken bold steps that I think are going to set yourself up very well in the future as far as transportation. Your jitney program works, and is a testament to the half penny that we share with cities; that cities, in many cases, do a much better job at investing that money than we have at the County. But it's something that we need to address; we can't ignore this issue anymore; we can't build ourselves out of this. We can't add more lanes and hope that, you know, the alleviation of traffic will make people forget; it doesn't. More people are coming to Miami-Dade County; people want to live in Miami-Dade County, and what we do not want to become is a Los Angeles, where it's just constant traffic; and again, quality of life goes downhill quickly. So with that, I'd like to introduce you to the executive director of the TPO, Aileen Bouclé, and she'll walk you through a very quick presentation. Thank you.

Aileen Bouclé: Thank you, Chairman Bovo. Good morning, Chairman, members of the Committee; and especially, our vice chair, Francis Suarez, of the Transportation Planning Organization. If you'd direct yourself to the slide show, I have a brief slide show presentation to give you background on the SMART Plan. In February of last year, the Transportation Planning Organization unanimously passed legislation stating that transit and transit supportive projects are the number one policy and priority of Miami-Dade County. If you can see here, it was sponsored by our vice chair, Francis Suarez, of the board. And since this time, the TPO has organized itself to advance all of our transit programs under this policy. In April of 2016, the Strategic Miami Area Rapid Transit Plan was unanimously endorsed. This framework comes based on other regions with similar programs or projects, such as Bart in San Francisco; HART System -- the DART (Dallas Area Rapid Transit) System in Dallas. The SMART System here in Miami-Dade County represents a comprehensive program of projects. This legislation also authorized the funding and adoption of priority one status of all six of the transit -- rapid transit corridors of the SMART Plan. I do have a brief two-minute video that will give you an overview.

Note for the Record: A SMART Plan video presentation made at this time.

Ms. Bouclé: So that was a brief two-minute overview, highlighting the corridors, and this map in front of you shows the entire network; again, six rapid transit corridors. Essentially, it's an extension to the Metrorail to the north, south, east, and west, connecting to the existing 25 miles of Metrorail, augmented by a network of express buses running on all of the limited access facilities. This matrix shows you the partnerships that we have in place; not just partnerships, but I do want to highlight a critical resolution, a critical item that was approved by the TPO in June. The Fiscal Priorities Committee meeting developed a financial framework for the SMART Plan, per request and vision by Chairman Bovo, and it was adopted at last month's meeting. The framework includes the TPO's allocation of just under \$1 billion to the SMART Plan over the next 30 years. This funding is critical for us, because it allows us to

now go and seek Federal and State partnerships for a match. Every transportation project requires a local match, and we've now put into place funding that allows us to bring more funds here to South Florida. We have partnerships set up with the Florida Department of Transportation, who's leading several of the corridors' environmental studies; and also, Miami-Dade Expressway Authority. Again, under Chairman Bovo and Vice Chairman Francis Suarez, MDX (Miami-Dade Expressway) was asked to come to the TPO Board as a partner with ownership of one of the six rapid transit SMART corridors. MDX has come forward with ownership of the east/west corridor for an immediate plan to institute express buses, and a service that does not exist today on the east/west corridor will be introduced by Miami-Dade Expressway Authority, funded through the Authority. We're also seeking additional partnerships with Florida Turnpike under the State of Florida. Something to note here about the SMART Plan is that if you look at a two-mile buffer of the extension to six rapid transit corridors, you're essentially including 1.7 of our 2.7 million residents here in Miami-Dade County. That represents just about 900 million -- 900,000 employees in Miami-Dade County that can use transit. And another important statistic to keep aware here is that we have a higher than national average of inter-county travel, which means that we're -- 77 percent of Miami-Dade County residents wake up and travel outside their residential district to seek employment and earn their livelihood, so we have a lot of cross-jurisdictional-district travel in our County, which really emphasizes the need for a comprehensive transit -- program of transit projects where we can connect as a County and a region. It saves time having -- versus driving, where there's no option today. With a network, you have considerable time savings if you choose transit. At this time, we're working with our partners to, number one, maximize funding. Again, the TPO allocated funds to the SMART Plan, and we have a framework in place and -- to identify additional sources; a partnership with the State, as well as other potential sources for funding gap. This is just a historical overview of the municipal grant program that the TPO has worked with the City of Miami on several important initiatives. As Chairman Bovo said, the City does lead the County in its innovation and transportation studies, and showing us what we can do, what municipalities can do with innovative transit ideas, so we want to recognize the City, and thank you for that. And these are just our partners so far that have endorsed the plan. Thank you very much.

Miami-Dade County Commission Chairman Bovo: And just in closing, as the City of Miami goes, goes our County. You've shown a lot of great examples of transit-oriented development. It is what we envision throughout our County that does multiple things: Number one, creates jobs, economic opportunity; creates a tax base that allows us to pay for operation and maintenance, and puts a lot less pressure on the UDB (Urban Development Boundary). As you may well know in the County, we continuously deal with the pressure of building out toward the Everglades, and we realize that unless we give developers opportunities, guidance that could help create more density along those corridors, that pressure on the UDB is going to continue. And for those that may not be aware of the issue, you know, that is basically building into the Everglades, and it's something that many of us in the County realize that we don't want to do. We want to have some smart development, infield development. Like I said, the City of Miami has been very innovative in zonings, issues of parking variances and whatnot, and it's something that the County is looking aggressively to be able to emulate so that ultimately, we could be able to pay not just for the expansion of the system, a system that'll take you where you want to go, counter to what has happened with Metrorail, but create smart development that will, in essence, allow us to pay for the operation and maintenance long term. And with that, again, I want to thank all of you for patiently listening to us, and being a partner in this journey. Thank you.

Commissioner Gort: Mr. Chairman, let me ask you a question. The -- I think -- I believe there's about five municipalities that have their own trolley system. I think somehow, that should be coordinated, because this can become your feeding system to

the rapid transit, because that's why it failed before, because we didn't have a feeding system to rapid transit. So I wish -- and I know Commissioner Suarez tried very hard to incorporate that into your master plan. I mean, the master plan -- anything that needs to be done with transportation should be done through the County by utilizing municipalities.

Miami-Dade County Commission Chairman Bovo: Commissioners, I said earlier that this issue of traffic is global. Every single city that has shared in the half penny that's come up with their own system, whether it's a jitney or just invested in their area, is looking at ways on how we integrate. The ideal would ultimately be small services within cities that always feeds a trunk of the SMART Plan. And it's not far-fetched to think that someone in Florida City would be able to get on a system that was driven through a neighborhood system to the main trunk and end up in -- at Dolphin Stadium, or Hard Rock Stadium, or at FIU (Florida International University); it shouldn't be far-fetched. And I will tell you that there is a generation that's coming that's expecting to be able to have that liberation of mobility.

Commissioner Gort: Are we considering water transportation?

Miami-Dade County Commission Chairman Bovo: I'm sorry?

Commissioner Gort: Are we considering water transportation?

Commissioner Suarez: Yeah.

Miami-Dade County Commission Chairman Bovo: Actually, there's been a lot of talk, and I've got a big champion on my board, on the County Commission board who has talked greatly about using our waterways for transportation. Look, there are people around the world that have been doing this a lot longer than we have. It's just a matter of empowering folks and making the decisions; which, as you well know, sometimes, it's very difficult to do in our community.

Commissioner Suarez: Mr. Chair, if I may?

Commissioner Gort: Thank you.

Commissioner Suarez: May I? I don't --

Commissioner Gort: Go ahead.

Commissioner Suarez: We lost our Chair and our Vice Chair; that's why we're kind of looking at each other, wondering who's -- who can speak, but I appreciate it. First of all, I want to thank my colleagues on the City Commission for designating me to be on the MPO (Metropolitan Planning Organization), TPO, and for always supporting me every time that I come back with some sort of an idea and initiative. I have amazing support from my colleagues. So, I mean, you know as well as I do that you're limit -- we're limited. We're all limited by making sure that whatever ideas we have are supported by our boards, and that's sometimes very challenging and very difficult, as I've gotten a flavor for being on the MPO -- now TPO. I mean, it's been one of the more probably rewarding experiences of my life; not only because of the camaraderie and the relationships; but certainly, because I do believe that for my son, who's three and a half, this is the issue -- or one of the issues that is going to determine our success and failure; not only as a County, but also as a City, because we happen to be -- and I love your statistic, which I had not heard before, by the way, about the 77 percent of people that leave their residential community to go to work. And I think oftentimes, that means that they're crossing through the City of Miami. And I can tell you that we are very horizontal, you know. As a County, we are -- You know, in downtown, we have these beautiful tall buildings and all that, but once you

leave downtown, you know, you've got 2.8, which will become 3, which will become 3.2 very soon, a million people that are trying to move throughout the County; most of which, 95 percent -- I mean, I've heard statistics from 88 to 97 percent of which are using their cars to get to and from work every single day. And I can tell you that, you know, we have grown as a city 30 -- our tax base -- 37 percent in the last three years. That's incredible. I mean it's -- it is annualized 12 percent growth for the last three years, which is incredible. But I can tell you that we are getting a lot -- just like you get pushback on the UDB, we're getting a lot of pushback on growth and development, because the number one issue -- and you've said this repeatedly at the MPO, at the TPO -- is traffic; it's more congestion; it's more traffic; it's a reduced quality of life, which is what it ultimately manifests itself in. In Miami-Dade County, we spend on average 125 hours a year in our cars; 125 hours a year in our cars. And that's time that we can't spend with our families; that's time that we can't be more productive. I mean, that's time that oftentimes, and for many people is lost time; aside from the fact that there are so many ancillary effects of having an inadequate trans -- you know, mass transit system, which many of the global cities in the world have, and that is things like our lower-paid workers have to potentially use expensive tolls to get to work, which will reduce their take-home pay by an hour, two hours of their daily pay; or can't afford to do that, and then cut through our neighborhoods. And that has created a lot of controversy, because, you know, the volume of cars has increased significantly; the speed of those cars, because they're hurrying to get to work, is very, very high. Some neighbors want restricted access streets; others neighbors don't want it, so it ends up pitting neighbors against each other in our residential neighborhoods, which are low density, you know, single-family residential neighborhoods, which makes my life very difficult and very, very, very hard, because we want a -- My job as a Commissioner is to deliver -- to the extent that I can -- to my residents a premium quality of life. And when there are issues that are kind of beyond the scope of what we can deal with, which are, you know, 3 million people traversing our City to get to work in downtown oftentimes, it makes it very, very difficult. I want to commend you and your predecessor, you know, Chairman Bovo and Chairman Monestine, who helped create the SMART Plan. You know, you highlighted that I sponsored some of them, but they were unanimous. And I think the unanimity of the SMART Plan and making transit the highest priority, those vision statements and that plan and the -- I think we were unanimous, also, in the funding framework that we passed just a few weeks ago really -- I think demonstrates the momentum that we have for transit. And I don't envy your position, because I know now to make that funding formula a reality, it means that we're going to have to make tough choices, and I think we have to be prepared to make those tough choices. But our residents look at our budgets, the size of our budgets -- we've got a big budget, you all have a big budget -- and they think to themselves, this is a priority for us. And our budgets reflect our priorities and should reflect our priorities. And so, I know that to enact that funding formula, it's not going to be easy. As a TPO member, in the sunshine, I can tell you that I will be there by your side, supporting you --

Miami-Dade County Commission Chairman Bovo: Thank you.

Commissioner Suarez: -- as I always have. And, you know, I just want to thank again my colleagues, because without their support, we wouldn't have been able to do the Tri-Rail deal, which is significant to connect Tri-Rail to downtown; for our Overtown residents to have that ability to go outside of their neighborhood for work that you described, that 77 percent of people that are going outside of their neighborhood. Now they can ride the Tri-Rail, connect three counties for free. That was a huge deal, you know, for the City. Like you said, the trolley program, which we're expanding today, hopefully, in our CA (Consent Agenda) agenda to Little Haiti, you know, it's something that we're paying -- we're going to start paying general fund dollars out of it. We created a Transportation Trust Fund to pay general fund dollars out of that, because the half cent is not going to be enough, because we -- the 20 percent -- we want to continue to offer this service for free to our residents. It's incredibly

successful. We continue to expand it, and hopefully, we'll be completely connected in the entire City at some point in the near future with our trolley program so people can circulate through population centers within our City and connect, as Commissioner Gort said, with the larger system. I did bring, at his suggestion, a water-bound trolley system and a water-bound bus system to the County, which we studied, and we -- Obviously, everything in transportation costs money, and that's oftentimes the limitation, you know. And so, I just think we have to -- we have a responsibility as leaders for ourselves and for our children, and for our children's children to really start thinking about what are our priorities; not just in great, nice resolutions, which are wonderful, but in the way we allocate our dollars, and that's when the rubber meets the road; no pun intended. So I know that there's still some disagreements about, you know, modalities and technology and whatever, but I think -- I'm glad to see that the momentum is sort of, you know, happening again. And certainly, I hope to be able to continue to work with you and with everyone who is involved. I mean, I think one of the most frustrating things -- You had a graph up there which shows -- and I'll never forget the first time I saw it -- the TPO and then it shows all those little -- you know, that one, but you had one -- you had it a little bigger -- but all those -- For us to do transportation successfully, all those little people have to participate and have to somehow agree, and they all have their parochial interests; and we all, within ourselves, have our parochial interests, so it is infinitely complicated. It is distilled into something that looks like a nice graph, but that is -- To me, what that shows is infinite complication. And so, I commend you for your leadership and for working with the City of Miami, and I thank you as executive director for coming today.

END OF PERSONAL APPEARANCES

CA - CONSENT AGENDA

The following item(s) was Adopted on the Consent Agenda

RESULT:	ADOPTED
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Ken Russell, Vice Chair
AYES:	Hardemon, Russell, Gort
ABSENT:	Carollo, Suarez

CA.1

2853

***Department of
Solid Waste***

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE PROCUREMENT OF RECYCLABLE MATERIALS PROCESSING SERVICES FROM PROGRESSIVE WASTE SOLUTIONS OF FL, INC., FOR THE DEPARTMENT OF SOLID WASTE ("SOLID WASTE"), PURSUANT TO SECTION 18-111 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, UTILIZING THE COMPETITIVELY SOLICITED AND EXISTING CITY OF HIALEAH, FLORIDA CONTRACT NO. 2013/14-9500-00-011 EFFECTIVE THROUGH SEPTEMBER 29, 2019, SUBJECT TO ANY RENEWALS, EXTENSIONS, AND/OR REPLACEMENT CONTRACTS BY THE CITY OF HIALEAH, FLORIDA; AUTHORIZING THE CITY MANAGER TO EXECUTE THE SUPPLEMENTAL AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL OTHER DOCUMENTS, INCLUDING ANY AMENDMENTS, RENEWALS, AND MODIFICATIONS TO THE SUPPLEMENTAL AGREEMENT, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, AS MAY BE NECESSARY FOR SAID PURPOSE.

ENACTMENT NUMBER: R-17-0479

This matter was ADOPTED on the Consent Agenda.

Note for the Record: For minutes referencing Item CA.1, please see "End of Consent Agenda."

CA.2**2913****Office of
Transportation
Management****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY MANAGER TO TAKE ANY AND ALL STEPS NECESSARY, INCLUDING BUT NOT LIMITED TO, NEGOTIATING AND EXECUTING AN AMENDMENT TO THE CITY OF MIAMI'S ("CITY'S") CURRENT INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, IN ORDER TO ADD THE LITTLE HAITI TROLLEY ROUTE TO THE CITY'S TROLLEY SYSTEM PROVIDING SERVICE FROM NORTHEAST/NORTHWEST 36TH STREET TO NORTHEAST/NORTHWEST 84TH STREET ALONG NORTHEAST 2ND AVENUE AND NORTHWEST 2ND AVENUE WITH A LOOP FROM NORTHEAST 2ND AVENUE TO BISCAYNE BOULEVARD ALONG NORTHEAST 61ST STREET AND NORTHEAST 62ND STREET, MIAMI, FLORIDA.

ENACTMENT NUMBER: R-17-0480**This matter was ADOPTED on the Consent Agenda.**

Note for the Record: For minutes referencing Item CA.2, please see "End of Consent Agenda."

CA.3**2912****Office of
Transportation
Management****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A JOINT PARTICIPATION AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI ("CITY") AND THE FLORIDA DEPARTMENT OF TRANSPORTATION, ACCEPTING THE STATE OF FLORIDA'S CONTRIBUTION IN THE AMOUNT OF \$400,000.00 FOR OPERATING COSTS ASSOCIATED WITH THE LITTLE HAITI TROLLEY SERVICE; AUTHORIZING THE ALLOCATION OF THE CITY'S REQUIRED MATCHING FUNDS IN THE AMOUNT OF \$400,000.00 FROM THE CITY'S SHARE OF THE TRANSIT SURTAX.

ENACTMENT NUMBER: R-17-0481**This matter was ADOPTED on the Consent Agenda.**

Note for the Record: For minutes referencing Item CA.3, please see "End of Consent Agenda."

CA.4

2941

*Office of the City
Attorney*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY TO ENVIROTECH ROOFING AND CONSTRUCTION, INC. ("ENVIROTECH") THE TOTAL SUM OF THIRTY-FOUR THOUSAND FIVE HUNDRED DOLLARS (\$34,500.00) IN FULL SETTLEMENT OF ALL CLAIMS ALLEGED AGAINST THE CITY OF MIAMI ("CITY") IN THE CASE OF ENVIROTECH ROOFING AND CONSTRUCTION, INC. VS. CITY OF MIAMI, PENDING IN THE CIRCUIT COURT IN AND FOR MIAMI-DADE COUNTY, CASE NO. 16-17878 CA 04, WITHOUT ADMISSION OF LIABILITY, UPON EXECUTING A RELEASE, SETTLEMENT, HOLD HARMLESS, AND INDEMNIFICATION AGREEMENT OF THE CITY, ITS PRESENT AND FORMER OFFICERS, AGENTS, AND EMPLOYEES, FROM ANY AND ALL CLAIMS AND DEMANDS ARISING IN AND FROM THE WORK PERFORMED BY ENVIROTECH TO FIRE STATION NO.1; FURTHER AUTHORIZING THE CITY MANAGER TO MAKE REVISIONS AND NON-SUBSTANTIVE AMENDMENTS TO SUCH RELEASE, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, AS NEEDED FOR SAID PURPOSE; ALLOCATING FUNDS FROM ACCOUNT NO. 00001.980000.531010.0000.00000.

ENACTMENT NUMBER: R-17-0482**This matter was ADOPTED on the Consent Agenda.**

Note for the Record: For minutes referencing Item CA.4, please see "End of Consent Agenda."

CA.5

3046

*Commissioners
and Mayor*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ISSUING A NOISE WAIVER PURSUANT TO SECTIONS 36-4(A) AND (B) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), ENTITLED "OPERATIONS OF RADIOS, PHONOGRAPHS OR OTHER SOUND-MAKING DEVICES; BANDS, ORCHESTRAS AND MUSICIANS-GENERALLY," FOR THE FIRST AMERICAN TITLE INSURANCE ANNUAL APPRECIATION DINNER AT MARLINS PARK, OCCURRING ON OCTOBER 12, 2017, CONCLUDING AT 10:00 P.M.

ENACTMENT NUMBER: R-17-0483**This matter was ADOPTED on the Consent Agenda.**

Note for the Record: For minutes referencing Item CA.5, please see "Order of the Day" and "End of Consent Agenda."

END OF CONSENT AGENDA

Chair Hardemon: So right now we have the consent agenda, and the Chair would like to entertain a motion to approve the consent agenda and PH.1.

Commissioner Gort: Move it.

Chair Hardemon: It's been properly moved --

Commissioner Suarez: Second.

Chair Hardemon: -- and seconded to approve the consent agenda and PH.1. Is there any discussion? Hearing none, all in favor of that motion, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: Motion approved. However -- so I would like to address SR.1 during the afternoon session, along with PZ.1. So without objection, if that's -- if there's no objection to it, we'll do that.

PH - PUBLIC HEARINGS**PH.1****2921*****Department of Real
Estate and Asset
Management*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), PURSUANT TO SECTION 29-B(F) FO THE CHARTER OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CHARTER"), APPROVING THE SALE OF CITY OF MIAMI ("CITY") OWNED CLUC 90 PROPERTY, IDENTIFIED AS FOLIO NUMBER 01-3207-000-0680, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" OF THE PURCHASE AND SALE AGREEMENT, TO ROSA ROMNEY ("PURCHASER"), ESTABLISHING THREE THOUSAND DOLLARS (\$3,000.00) AS THE AMOUNT TO BE PAID TO THE CITY BY THE PURCHASER; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR PURCHASE AND SALE ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, AND TO EXECUTE SUCH OTHER DOCUMENTS AS MAY BE NECESSARY, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, TO CONSUMMATE SUCH TRANSACTION IN ACCORDANCE WITH TERMS AND CONDITIONS OF THE AGREEMENT, WHICH TERMS DEEMED AMENDED BY THE CITY MANAGER AS MAY BE NECESSARY IN ORDER TO MEET THE BEST INTEREST OF THE CITY.

ENACTMENT NUMBER: R-17-0493

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Ken Russell, Vice Chair
AYES:	Hardemon, Russell, Gort
ABSENT:	Carollo, Suarez

Note for the Record: For minutes referencing Item PH.1, please see "End of Consent Agenda."

END OF PUBLIC HEARINGS

SR - SECOND READING ORDINANCES

SR.1 **ORDINANCE** **Second Reading**

2099
Department of
Planning and
Zoning

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING CHAPTER 2/ARTICLE XI/DIVISION 2/SECTION 2-892 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ("CITY CODE"), ENTITLED "ADMINISTRATION/BOARDS, COMMITTEES, COMMISSIONS/GENERALLY/'SUNSET' REVIEW OF BOARDS" TO PROVIDE FOR SUNSET REVIEW OF THE ART IN PUBLIC PLACES BOARD; AND AMENDING CHAPTER 62/ARTICLE XVI OF THE CITY CODE, ENTITLED "PLANNING AND ZONING/ART IN PUBLIC PLACES," TO PROVIDE FOR PUBLIC ART REQUIREMENTS FOR PRIVATE DEVELOPMENT; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

RESULT:	NO ACTION TAKEN
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Note for the Record: Per Miami City Code Section 2-33(k), Item SR.1 was continued to the November 16, 2017, Regular Commission Meeting.

For minutes referencing Item SR.1, please see "Order of the Day," "Public Comment for Regular Item(s)," and "End of Consent Agenda."

SR.2 **ORDINANCE** **Second Reading**

2905
Commissioners
and Mayor

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 62/SECTION 62-535 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "PLANNING AND ZONING/TEMPORARY USES ON VACANT LAND," BY MODIFYING REQUIREMENTS FOR TEMPORARY USES ON VACANT LAND THAT HAVE BECOME INCREASINGLY POPULAR THROUGHOUT THE CITY OF MIAMI; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION TO:	Defer
RESULT:	DEFERRED
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Gort, Suarez
ABSENT:	Russell, Carollo

Note for the Record: Item SR.2 was deferred to the October 26, 2017, Planning and Zoning Commission Meeting.

For additional minutes referencing Item SR.2, please see "Order of the Day."

Chair Hardemon: Madam City Attorney, we asked a question at -- just a little bit earlier regarding whether or not we can create some sort of carveout.

Victoria Méndez (City Attorney): Is this for the item about the extension?

Chair Hardemon: For the TUP (Temporary Use Permit).

Ms. Méndez: Yes. What can be done is, if this is reset, there could be an application under 62-528, "Temporary Occupancies in General," and they can make that application, and it could be done through there.

Chair Hardemon: So what you're saying to me is they have to apply once again? They have to apply, like --

Ms. Méndez: They can --

Chair Hardemon: -- go through the application process, instead of being on the one that they already have?

Ms. Méndez: Right, they would have to reapply --

Chair Hardemon: Okay.

Ms. Méndez: -- but under the "Temporary "Occupancy section versus "Temporary Use on Vacant Lands."

Chair Hardemon: Who would shut --? Because I'm not sure how long that process takes. I know processes in the City of Miami tend to have some sort of, you know, duration, and it's typically not a week or two. And so, my concern is, for an ongoing entity as such to be able to continue to function. So is it that -- the City of Miami? Is it you all that will be enforcing -- that will typically go in there to shut them down? Or how does this --?

Ms. Méndez: Right. It would be Code Enforcement usually that would go out, cite them, if they didn't have their correct permitting in place. But I think they have time to -- When is their deadline?

Devin Cejas (Zoning Administrator; Department of Real Estate & Economic Development): The one in question, their expiration date is October 20.

Ms. Méndez: So a week?

Chair Hardemon: Right. I mean, that's here. It's here.

Ms. Méndez: You would like to hear the item?

Chair Hardemon: No. I said, "That is here." The time is here.

Ms. Méndez: Oh, it's here.

Chair Hardemon: And so, I mean, I understand the concerns that Commissioner Gort has, and I want to be able to alleviate the concerns that he has, because we want to pay respect to, you know, the brick and mortar businesses. But, certainly, there are lots of things that are going on in underutilized vacant properties that are in other districts that are positive, and we're not seeing the same sort of pushback. In fact, I mean, I've seen that some businesses that are in the temporary spaces have moved on to brick and mortar spaces that are actually within Commissioner Gort's district, especially on the 7th Avenue side, between 30th and -- or 25th and 30th -- 36th Street. And so, what is it that we can do to not have a business shut down, because it took too long to go through this process?

Ms. Méndez: Okay. If it is the will of the Commission, I would say for a brief amount of time, for a month, while they go through the process, the Commission can pass a resolution to allow for them to con -- to retain their permit, I guess; a permit extension for a month --

Chair Hardemon: And that's what I'm asking.

Ms. Méndez: -- limited -- very limited amount of time, so that they could do what they -- apply what they need to apply for under the other provision, 62-528.

Later...

Chair Hardemon: Now I'll entertain Commissioner Gort's motion for a continuance for item SR.2. It was SR.2, correct, the temporary use --?

Commissioner Gort: No, no, no. I deferred for the next meeting.

Chair Hardemon: The next meeting, right. So he wanted to have it continued to --

Todd B. Hannon (City Clerk): October 26, yes, sir.

Chair Hardemon: That is correct, SR.2. So --

Commissioner Suarez: (UNINTELLIGIBLE).

Chair Hardemon: -- it's been properly moved by Commissioner Gort; seconded by the Chair. All in favor of that motion, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: That motion passes. And so, at this time, what we'll do is we'll move into our lunch recess, and we'll be back at 2 o'clock. Okay.

Commissioner Gort: I won't be able to come back this afternoon.

Chair Hardemon: No one's going to be here at 2? So -- wait, wait, wait.

Commissioner Gort: Can I ask you to stay for a minute? There's some kids that we have from the elementary schools; that they're doing the interning here. They want to have their pictures taken with us.

Chair Hardemon: All right, we'll stay -- I'll stay for a minute.

Commissioner Gort: Commissioner Suarez?

Commissioner Suarez: Yeah, yeah.

Commissioner Gort: We're going to take some pictures; few minutes.

Unidentified Speaker: Should I bring them in?

Commissioner Gort: Yeah.

Chair Hardemon: Because what we have left on the agenda right now is SR.1 -- right? -- which we said we were going to address in the afternoon; we have RE.2, which is the transfer of land in Miami Children's Museum; RE.3, the Police Training Facility --

Commissioner Suarez: RE.5.

Chair Hardemon: -- RE.5, the Employee Disability Program. I mean, it's not much on here.

Commissioner Suarez: (UNINTELLIGIBLE).

Chair Hardemon: And then we have may have a couple PZs (Planning and Zonings). So I guess we're in recess till 2 o'clock. We'll take the pictures.

Ms. Méndez: Commissioner Suarez?

Chair Hardemon: We are in recess, though.

END OF SECOND READING ORDINANCES

FR - FIRST READING ORDINANCES

FR.1

ORDINANCE

First Reading

2428

***Department of
Public Works***

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 55 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "SUBDIVISION REGULATIONS," BY AMENDING SECTION 55-1, ENTITLED "DEFINITIONS," TO ADD DEFINITIONS, AND SECTION 55-10, ENTITLED "BUILDING PERMITS; ISSUANCE; RESTRICTIONS; EXCEPTIONS," TO REMOVE THE PROHIBITION ON THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY PRIOR TO COMPLETION OF ALL SUBDIVISION IMPROVEMENTS FOR PHASED PROJECTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION TO:	Pass on First Reading
RESULT:	PASSED ON FIRST READING
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Ken Russell, Vice Chair
AYES:	Hardemon, Russell, Gort, Carollo
ABSENT:	Suarez

Chair Hardemon: And then let's move on to FR.1. Can we read it into the record, please? I'll let -- You don't read it. You read it into the record; you do your research, unless you have somebody to help you with the research.

Barnaby Min (Deputy City Attorney): I can read it.

Chair Hardemon: You can read it? Okay.

Mr. Min: Yes.

The Ordinance was read by title into the public record by Deputy City Attorney Barnaby Min.

Chair Hardemon: Is there any discussion about this item? Hearing none, is there a motion?

Commissioner Gort: Move it.

Chair Hardemon: It's been properly moved and seconded to approve item SR (Second Reading) -- I mean, I'm sorry -- FR.1. Seeing no further discussion, all in favor of the item, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: All against? Motion passes.

Commissioner Carollo: "Yes" on first.

FR.2

ORDINANCE

First Reading

2566

**Department of
Planning and
Zoning**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 2, ARTICLE IV, DIVISION 2, SECTION 2-207 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "ADMINISTRATION/DEPARTMENTS/PLANNING, BUILDING AND ZONING DEPARTMENT/ZONING CERTIFICATE OF USE REQUIRED; ANNUAL REINSPECTION OF BUILDINGS AND PREMISES; FEES FOR INSPECTIONS AND ISSUANCE OF CERTIFICATES," MORE PARTICULARLY BY AMENDING SECTION 2-207(B)(1) TO EXTEND THE EXPIRATION TIME OF APPLICATIONS FOR CERTIFICATES OF USE FROM THIRTY (30) TO NINETY (90) WORKING DAYS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

MOTION TO:	Pass on First Reading
RESULT:	PASSED ON FIRST READING
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Gort, Carollo
ABSENT:	Russell, Suarez

Chair Hardemon: FR.2. Could you read it into the record?

The Ordinance was read by title into the public record by Deputy City Attorney Barnaby Min.

Commissioner Gort: Move it.

Chair Hardemon: It's been properly moved; seconded by the Chair. Is there any further discussion from the dais regarding this item? Seeing none, all in favor of the item, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: All against? Motion passes.

Commissioner Carollo: It's FR.2, correct?

Chair Hardemon: That's correct.

Commissioner Carollo: "Aye."

FR.3

ORDINANCE

First Reading

2903

***Commissioners
and Mayor***

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 29/ARTICLE I OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "LANDFILLS AND WATERFRONT IMPROVEMENTS/IN GENERAL," MORE PARTICULARLY BY ADDING SECTION 29-6 TO PROVIDE A FRAMEWORK FOR CERTAIN WILLING WATERFRONT PROPERTY OWNERS TO GRANT THE CITY OF MIAMI AN EASEMENT TO CONSTRUCT AND MAINTAIN A BAYWALK OR RIVERWALK UNTIL THE PROPERTY OWNER ENGAGES IN SUCH DEVELOPMENT THAT WOULD REQUIRE A DUTY TO PROVIDE A BAYWALK OR RIVERWALK; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION TO:	Continue
RESULT:	CONTINUED
MOVER:	Francis Suarez, Commissioner
SECONDER:	Frank Carollo, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo, Suarez

Note for the Record: Item FR.3 was continued to the November 16, 2017, Regular Commission Meeting.

For minutes referencing Item FR.3, please see "Order of the Day" and "Public Comment for Regular Item(s)."

FR.4

ORDINANCE

First Reading

2988

***Commissioners
and Mayor***

AN ORDINANCE OF THE MIAMI COMMISSION AMENDING CHAPTER 10/ ARTICLE I OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), ENTITLED "BUILDINGS/IN GENERAL," TO CREATE NEW SECTION 10-8, ENTITLED "EMERGENCY PLAN REQUIRED FOR AFFORDABLE HOUSING FOR THE ELDERLY", TO REQUIRE ANY BUILDINGS CLASSIFIED AS AFFORDABLE HOUSING FOR THE ELDERLY TO HAVE AN EMERGENCY PLAN IN PLACE TO PROVIDE FOR, AMONG OTHER THINGS, EMERGENCY POWER AND FUEL FOR GENERATORS; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION TO:	Pass on First Reading
RESULT:	PASSED ON FIRST READING
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Frank Carollo, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo
ABSENT:	Suarez

Note for the Record: For additional minutes referencing Item FR.4, please see "Public Comment for Regular Item(s)."

Chair Hardemon: FR.3 was deferred. FR.4.

The Ordinance was read by title into the public record by Deputy City Attorney Barnaby Min.

Commissioner Gort: Move it.

Chair Hardemon: It's been properly moved; seconded by the Chair.

Commissioner Carollo: Sec --

Chair Hardemon: Or seconded by Commissioner Carollo.

Commissioner Carollo: Second.

Chair Hardemon: Any further discussion on the item?

Commissioner Carollo: Yeah. It's just -- it's similar to something that I passed in the last Commission meeting. I know it has some addition, so yes.

Commissioner Gort: I think we can make some changes for the second reading, when we can put a specific --

Commissioner Carollo: Yeah.

Commissioner Gort: -- what they need to do.

Commissioner Carollo: I'm good on first reading. Between first and second, anything could be addressed.

Chair Hardemon: Seeing no further comments, all in favor of the item, please indicate so by saying "aye."

The Commission (Collectively): Aye.

Chair Hardemon: All against? Motion passes.

FR.5

ORDINANCE

First Reading

2993

**Commissioners
and Mayor**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 13/ARTICLE II OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), ENTITLED "DEVELOPMENT IMPACT AND OTHER RELATED FEES/DOWNTOWN DEVELOPMENT SUPPLEMENTAL FEE," BY UPDATING THE DEFINITIONS; UPDATING THE COEFFICIENTS UPON WHICH THE DOWNTOWN DEVELOPMENT OF REGIONAL IMPACT ("DDRI") SUPPLEMENTAL FEE IS ESTABLISHED; UPDATING THE ASSOCIATED ANNUAL ADJUSTMENT FACTOR; UPDATING REFERENCES TO THE MIAMI 21 CODE, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, AND ELIMINATING REFERENCES TO AN OUTDATED ZONING CODE; UPDATING REFERENCES TO THE CONSOLIDATED APPLICATION FOR DEVELOPMENT APPROVAL ("CADA") ASSOCIATED WITH INCREMENT III FOR THE DDRI; UPDATING VARIOUS AUTHORIZING POLICIES OF REFERENCE FROM STATE AND LOCAL GOVERNING BODIES; MAKING FINDINGS OF FACT AND CONCLUSIONS OF LAW; DIRECTING TRANSMITTALS; PROVIDING FOR A TERMINATION DATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

MOTION TO:	Pass on First Reading
RESULT:	PASSED ON FIRST READING
MOVER:	Ken Russell, Vice Chair
SECONDER:	Frank Carollo, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo
ABSENT:	Suarez

Chair Hardemon: FR.5.

The Ordinance was read by title into the public record by Deputy City Attorney Barnaby Min.

Chair Hardemon: Is there a motion to approve?

Vice Chair Russell: I'll move it.

Chair Hardemon: It's been properly moved --

Commissioner Gort: Second.

Commissioner Carollo: Second.

Chair Hardemon: -- seconded as heard. Any further discussion on this item? Seeing none, all in favor of the item, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: All against? Motion passes.

FR.6

ORDINANCE

First Reading

3044

**Commissioners
and Mayor**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 53/ARTICLE I OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "STADIUMS AND CONVENTION CENTERS/IN GENERAL," MORE PARTICULARLY BY AMENDING SECTION 53-1, ENTITLED "TICKET SURCHARGE ON PAID ADMISSIONS TO EVENTS," TO AMEND AND INCLUDE SURCHARGE AMOUNTS FOR EVENT TICKETS SOLD WITH A VALUE OF ONE HUNDRED DOLLARS (\$100.00) OR MORE, AS PROVIDED HEREIN; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

MOTION TO:	Pass on First Reading
RESULT:	PASSED ON FIRST READING
MOVER:	Frank Carollo, Commissioner
SECONDER:	Wifredo (Willy) Gort, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo
ABSENT:	Suarez

Chair Hardemon: FR.6.

Commissioner Carollo: Mr. Chairman?

Chair Hardemon: Yes.

Commissioner Carollo: Commissioners, this is addressing a ticket surcharge, only on higher-priced tickets. I think most people would agree that a person paying the same surcharge on 1,200 or \$1,500 ticket than a person paying a surcharge on a \$30 ticket can be seen as a regressive fee. So this ordinance provides a modest way to address the issue, and I move the item.

Chair Hardemon: There is a motion. It's been properly moved, rather.

Commissioner Gort: Second.

Chair Hardemon: It's been properly moved and seconded.

Vice Chair Russell: Discussion.

Chair Hardemon: Continue on with discussion. Vice Chair.

Vice Chair Russell: I haven't honestly been able to analyze how many events this would affect and how the number came about, and what it would generate, and where it would go. Can you help me with that, please?

Commissioner Carollo: Absolutely. I don't know too many locations that actually have a \$1,200 tickets or \$500 tickets, or so forth, so this would basically affect Bayfront Park. And understand -- and I've left it exactly the way it is, but as the ordinance reads right now, \$30 and above is \$2 surcharge. So I don't think that it is correct that someone that pays a \$2 surcharge for a \$30 ticket pays the same exact amount as someone who pays a \$1,200 for a ticket and only gets a surcharge of \$2.

Vice Chair Russell: Understood. And so this would be a pass-through to Bayfront Park Trust based on the events held at Bayfront Park Trust?

Commissioner Carollo: Well, this would affect Bayfront Park Trust, absolutely.

Vice Chair Russell: But the money would go toward the park where the event happens? Is that how it works?

Commissioner Carollo: Yes. And there's background there. The Attorney General opined that whenever there is a establishment that collects some type of surcharge like this, the monies must stay in that location, for the benefit of that location.

Vice Chair Russell: Fully understood. And for an event like Ultra, for example, which it seems that's in the ticket price range --

Chair Hardemon: Why you got to bring up Ultra?

Vice Chair Russell: -- what would be the financial impact to the ticket prices for -- the revenue generated for the park and the ticket prices?

Commissioner Carollo: It would -- Well, the ticket prices, we're not -- we're -- Bayfront Park is not --

Vice Chair Russell: You don't set the price.

Commissioner Carollo: Yeah. We're not the -- We don't tell the promoters or the organizers what to charge. We're just going by past practice of what if charged, and what surcharge has actually been paid. So, yes, it would generate a lot more money for Bayfront Park. And I think -- in all fairness, I think it's a modest increase, because if you actually look at Ticket Master, any place that you buy tickets, I mean, the surcharges is much more than anything that we have here in our books. And again, we're only addressing higher-priced tickets; not necessarily the lower-priced tickets.

Vice Chair Russell: Understood.

Commissioner Carollo: And I don't think it's fair that -- As a matter of fact, it could be regressive -- a regressive surcharge that the same person that pays \$30 for a ticket pays the same surcharge as the person who pays \$1,500 or \$1,200; even 500, \$400 for the same ticket; which, by the way, some of those tickets happen to be in VIPs (Very Important Persons) that does cost additional, let's say, maintenance. For instance, we have platforms and so forth on the grass. Yes. Let's say the promoters does repay for those, let's say -- I don't want to say damages, but let's -- the cost of doing that, but still, it's more wear and tear on the park, because you do have to plant grass, and you do have to -- You understand what I'm saying?

Vice Chair Russell: I do.

Commissioner Carollo: So all that takes a -- I guess a bearing on Bayfront Park.

Vice Chair Russell: So how many --? And I'm sorry to ask so many questions.

Commissioner Carollo: Oh, absolutely. Go ahead.

Vice Chair Russell: How many -- Tickets are sold at that level, how much money would it generate additionally, the change?

Commissioner Carollo: It would generate quite a bit. I mean, I didn't come with the specifics, but it would generate quite a bit.

Vice Chair Russell: And my final question: Has the board of the Trust, is this something that's been taken up by them?

Commissioner Carollo: I haven't brought it up to the board of the Trust. I did speak with the -- obviously, the interim executive director, and everyone within the Trust -- you know, within that capacity that do the events and so forth, and they were in agreement with. I mean, if we could pass it on first reading -- We have another board meeting; I don't have a problem bringing it to the next board meeting. I don't foresee the problem, because it is additional monies that will go to the Trust for employees and things of that sort.

Vice Chair Russell: Right. Thank you. And I obviously take an interest simply that the events do happen within the district, and I do have a lot of input from the residents with regard to the events. It's been quite animated this year, and so we've been in touch with the event promoters, as well, to see about mitigating some of those relationships, but these funds won't go toward any of that. This is really for park improvement, maintenance recovery, handling the events, and I get that.

Commissioner Carollo: Employees. Yes, everything within the park for maintenance and so forth; for the operations --

Vice Chair Russell: Yeah.

Commissioner Carollo: -- of Bayfront Park. Yes.

Vice Chair Russell: Okay. I'll be in favor on first reading, but I would like to see what the Trust, if they take this up in between first and second --

Commissioner Carollo: Sure. Absolutely.

Vice Chair Russell: -- to see where this goes.

Commissioner Carollo: No problem.

Vice Chair Russell: I'd like to know what the impact is; what the financial change would be for a typical year with these events that exist. There should be a number that we would know.

Commissioner Carollo: Well, with the events that exist, it's pending that, you know, we are receiving, let's say, interest from other organizers that want to do these bigger events. So again, that's something that maybe in the future we take up here. How many of these bigger events do you want to have?

Vice Chair Russell: Right. Yeah.

Commissioner Carollo: So -- you understand?

Vice Chair Russell: I do.

Commissioner Carollo: Because these bigger events don't charge 5 or \$10 per tickets. They don't charge 20 or a hundred bucks for tickets; tickets are much, much higher. And it could, you know -- And why I'm doing this, because I really do think that -- First of all, addressing the issue of regressive surcharge. And second of all, it really is monies needed for the park. We could possibly have less events, you know, and addressing some of the issues of the neighbors. So another thing, I

know for a fact, and pretty soon, I think DNA (Downtown Neighborhood Alliance) will be sending the request -- or how they think that in the future, we should address some of these events, should contracts negotiations or contracts do come about.

Vice Chair Russell: The Downtown Neighborhood Alliance.

Commissioner Carollo: Yes, the Downtown Neighborhood Alliance. One of the things that they have told me is that they believe that we should be receiving a lot more money -- And when I say, "We," I mean Bayfront Park Management Trust -- for some of these events.

Vice Chair Russell: Thank you.

Commissioner Gort: Don't drink this water.

Chair Hardemon: We are clear, though, that if an event comes to a park -- and what you did not want to describe as damage to the park grounds -- if that does occur, that event is who -- or the event organizer is the one who pays for those repairs to the property. So they do bring it back to status quo, right?

Commissioner Carollo: Understood. But, Commissioner Hardemon, also the wear and tear, because let's say -- so the grass is damaged. They replace the grass, and that takes time. And you -- I'm sure you will hear neighbors complain about certain times and so forth; not to mention, you know, I have been pretty active now since our executive director -- or our former executive director resigned, and I have been pretty active with the day-to-day operations. As you know, we haven't missed a beat. We have hosted numerous events; for instance, Major League Baseball, when they had their All-Star Game. We hosted numerous events very successfully when El Clasico came to Joe Robbie Stadium. I'm not sure what the name is now; I apologize, but when it came -- what's --? No. Hard Rock Stadium now, and I apologize.

Chair Hardemon: No. It's changed quite a bit.

Commissioner Carollo: Yeah.

Chair Hardemon: Joe Robbie is a classic.

Commissioner Carollo: Exactly. We still hosted Taza Clasico. So whenever major events come here, you know, Bayfront Park has been viewed as the event place where most of these organizations want to go, and we haven't missed a beat. So I have been pretty active in the day-to-day operations, and I'm looking at everything to make sure that, you know, the Trust continues to be in solid footings financially and also with the residents.

Chair Hardemon: Now, I want -- I have a question for the City Attorney. The statement was made that the ticket surcharge dollars can only be used at the facility in which the ticket surcharge was generated. I mean, I've never read that opinion, and so, if you can -- if you know that it is true, make that statement. But also, are there any other things that we should consider that maybe the ticket surcharge can be used for that's outside of that particular venue?

Barnaby Min (Deputy City Attorney): I believe that it's based on an Attorney General opinion. If I can also have time to pull that one?

Chair Hardemon: Right.

Mr. Min: I can answer the other question, if you want to go back to that one, but for this issue, I need to look that up as well.

Commissioner Carollo: Mr. Chairman?

Chair Hardemon: Yes.

Commissioner Carollo: I believe it's in your backup.

Mr. Min: I believe --

Chair Hardemon: I see the (UNINTELLIGIBLE) --

Commissioner Carollo: I believe --

Chair Hardemon: -- it's just listed as -- let me see.

Commissioner Carollo: I believe the opinion's in the backup.

Chair Hardemon: Right, it's in the backup, an opinion. But sometimes there's law; sometimes there's actually some sort of case law that would say more clearly, instead of just an opinion from the Attorney General.

Mr. Min: I'm not aware of any particular case law on point.

Chair Hardemon: Okay. All right. Is there any other discussion regarding this item? Hearing none, all in --

Todd B. Hannon (City Clerk): Chair, I believe the title needs to be read into the record.

Mr. Min: Thank you, Mr. Clerk.

The Ordinance was read by title into the public record by Deputy City Attorney Barnaby Min.

Chair Hardemon: All in favor of the item, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: All against? Motion passes. First reading.

END OF FIRST READING ORDINANCES

RE - RESOLUTIONS**RE.1****1139****Commissioners
and Mayor****RESOLUTION****TO BE WITHDRAWN**

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY MANAGER TO CREATE, WITHIN CURRENT BUDGETARY CONSIDERATIONS, AN OFFICE OF TRANSPARENCY, UNDER THE PURVIEW OF THE CITY MANAGER, WITH THE RESPONSIBILITY OF MANAGING PUBLIC RECORDS REQUESTS IN AN OPEN AND TRANSPARENT MANNER, INCLUDING MAKING PUBLIC RECORDS REQUESTS AND THE RESPONSES AVAILABLE ONLINE FOR THE PUBLIC TO ACCESS AND DOWNLOAD; FURTHER DIRECTING THE CITY MANAGER TO PLACE INFORMATION ON THE MAIN PAGE OF THE OF THE CITY OF MIAMI'S ("CITY") WEBSITE ON HOW TO SUBMIT A PUBLIC RECORDS REQUEST TO THE CITY; FURTHER DIRECTING THE CITY MANAGER TO DEVELOP OR PROCURE AN ELECTRONIC MEANS OR PLATFORM THAT PUBLISHES DECISIONS RENDERED BY THE CITY COMMISSION, THE PLANNING ZONING AND APPEALS BOARD ("PZAB"), THE HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD ("HEPB"), AND WARRANTS AND WAIVERS ISSUED BY THE DEPARTMENT OF PLANNING AND ZONING ("P&Z"), INCLUDING PLACING SAID INFORMATION ON THE MAIN PAGE OF THE CITY'S WEBSITE; FURTHER DIRECTING THE CITY MANAGER TO DEVELOP OR PROCURE AN ELECTRONIC NOTIFICATION SYSTEM WHEREBY THE PUBLIC MAY SUBSCRIBE TO AND RECEIVE AUTOMATIC NOTIFICATION OF ANY DECISIONS RENDERED BY THE CITY COMMISSION, PZAB, HEPB, AND WARRANTS AND WAIVERS ISSUED BY P&Z.

MOTION TO:	Withdraw
RESULT:	WITHDRAWN
MOVER:	Francis Suarez, Commissioner
SECONDER:	Frank Carollo, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo, Suarez

Note for the Record: For minutes referencing Item RE.1, please see "Order of the Day" and "Public Comment for Regular Item(s)."

RE.2

2812

***Miami Sports and
Exhibition
Authority***

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY MANAGER TO REVIEW THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF MIAMI ("CITY") AND THE MIAMI SPORTS AND EXHIBITION AUTHORITY ("MSEA") AND THE SUBLEASE AGREEMENT BETWEEN MSEA AND THE MIAMI CHILDREN'S MUSEUM, INC., A FLORIDA NOT FOR PROFIT CORPORATION ("MCM"), IN ORDER TO CONSIDER WHETHER THE CITY SHOULD TRANSFER APPROXIMATELY 26,599 SQUARE FEET OF LAND ON THE SOUTHWEST SIDE OF THE PROPERTY TO MCM IN ORDER TO ALLOW MCM TO EXPAND ITS CURRENT PROGRAM SPACE AND TO PROVIDE A NEW ENTRANCE TO GUESTS; FURTHER DIRECTING THE CITY MANAGER TO RETURN TO THE CITY COMMISSION WITH A PLAN OF ACTION TO ACCOMPLISH THE SAME, IF APPROPRIATE; FURTHER DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE HEREIN DESIGNATED OFFICES.

RESULT:	NO ACTION TAKEN
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Note for the Record: Per Miami City Code Section 2-33(k), Item RE.2 was continued to the November 16, 2017, Regular Commission Meeting.

For minutes referencing Item RE.2, please see "Order of the Day," and "Public Comment for Regular Item(s)."

RE.3

2474

***Department of
Police***

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION RENAMING THE CITY OF MIAMI'S POLICE TRAINING FACILITY, CURRENTLY REFERRED TO AS THE MIAMI POLICE COLLEGE, LOCATED AT 400 NORTHWEST 2ND AVENUE, MIAMI, FLORIDA, THE "JOHN F. TIMONEY POLICE COLLEGE"; DIRECTING THE CITY MANAGER TO TAKE ALL ADMINISTRATIVE ACTIONS NECESSARY TO EFFECTUATE THE RENAMING OF SAID FACILITY.

RESULT:	NO ACTION TAKEN
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Note for the Record: Per Miami City Code Section 2-33(k), Item RE.3 was continued to the November 16, 2017, Regular Commission Meeting.

RE.4

2876

**Department of Real
Estate and Asset
Management**

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), PURSUANT TO SECTION 29-D OF THE CHARTER OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, AUTHORIZING THE CITY MANAGER, BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, TO WAIVE COMPETITIVE BIDDING AND TO EXECUTE A FIFTH AMENDMENT TO THE LEASE AGREEMENT ("FIFTH AMENDMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI ("CITY") AND THE MIAMI OUTBOARD CLUB, INC., A NON-PROFIT FLORIDA CORPORATION ("LESSEE"), FOR USE OF A PORTION OF CITY-OWNED WATERFRONT PROPERTY ON WATSON ISLAND LOCATED AT 1099 MACARTHUR CAUSEWAY, MIAMI, FLORIDA 33132 ("LEASE PROPERTY"), WITH SAID FIFTH AMENDMENT TO (1) EXTEND THE CURRENT LEASE TERM BY AN ADDITIONAL TERM OF TWENTY-FIVE (25) YEARS WITH TWO (2) ADDITIONAL TEN (10) YEAR OPTIONS TO RENEW FOR A POSSIBLE TOTAL EXTENSION TERM OF FORTY-FIVE (45) YEARS ("EXTENSION TERM"); (2) INCREASE THE TOTAL EXTENSION TERM BASE MONTHLY RENT TO FAIR MARKET VALUE, AS DETERMINED BY TWO (2) INDEPENDENT APPRAISALS, TO THE AMOUNT OF THIRTEEN THOUSAND DOLLARS (\$13,000.00) INCREASED ANNUALLY BY THREE PERCENT (3%) WITH THE CONTINUED PROVISION OF COMMUNITY SERVICE CREDITS; (3) MODIFY THE PERCENTAGE RENT PAYMENT TO INCLUDE REVENUES COLLECTED FOR MEMBERSHIP DUES AND BOAT STORAGE; AND (4) PROVIDE FOR SIGNIFICANT CAPITAL IMPROVEMENTS TO THE LEASE PROPERTY, AT THE LESSEE'S SOLE EXPENSE, OF A MINIMUM OF SIX MILLION DOLLARS (\$6,000,000.00) TO BE COMPLETED WITHIN SIX (6) YEARS OF THE FIFTH AMENDMENT'S EFFECTIVE DATE; RESERVING ALL AIR RIGHTS FOR FUTURE CITY BUILDINGS, ALL RIGHTS TO SUBMERGED LANDS FOR FUTURE CITY BOAT SLIPS AND MARINAS, AND ALL RIGHTS OF ACCESS TO THE LEASE PROPERTY; WITH SUCH ADDITIONAL TERMS AND CONDITIONS AS CONTAINED IN THE FIFTH AMENDMENT.

ENACTMENT NUMBER: R-17-0490

MOTION TO:	Adopt with Modification(s)
RESULT:	ADOPTED WITH MODIFICATION(S)
MOVER:	Ken Russell, Vice Chair
SECONDER:	Wifredo (Willy) Gort, Commissioner
AYES:	Hardemon, Russell, Gort, Suarez
NAYS:	Carollo

Note for the Record: For additional minutes referencing Item RE.4, please see "Public Comment for Regular Item(s)."

Chair Hardemon: All right. Let's move our self --

Commissioner Gort: RE.3 and 4?

Vice Chair Russell: 2, 3, 4, 5.

Chair Hardemon: Well, I mean, I think we can try to -- let's try to take care of the items -- let's try to take care of RE.4. I'm hoping that we can get -- If Commissioner Francis Suarez is in the building -- I don't know if he can hear me because he's listening in his office; let's have him out here. But let's talk about RE.4. Any discussion on RE.4?

Mark Burns (Lease Manager): Mark Burns, Department of Real Estate & Asset Management. RE.4 is a resolution approving the extension to the Miami Outboard Club lease for 25 years, with an additional two 10-year options; increasing the rent and additional terms of the lease.

Vice Chair Russell: I'll move it.

Chair Hardemon: It's been properly moved.

Commissioner Gort: Second.

Chair Hardemon: Seconded by Commissioner Gort. So we're having discussion now.

Commissioner Suarez: Mr. Chair, quick -- just quick.

Chair Hardemon: Please.

Commissioner Suarez: My -- I'm very much in favor. I'm going to vote in favor of it. My only issue was that we separate four slips for Marine Patrol, Police Officer Marine Patrol, and make that part of the deal; but other than that, I'm fine. It's a wonderful organization. They've done a tremendous amount for our community. They make boating reasonable in terms of expense, which obviously is a challenge in today's day and age, where owning a boat is a challenge, paying the gasoline is a challenge, and certainly, the dockage is a challenge. So, you know, I said it in the last Commission; you know, some properties we want to get highest and best use; other properties, we want to make sure that they're accessible and available to the public. And so, they've been good stewards. And I know for them to be able to do this project, they're going to need an extension. So that's my only amendment to the friendly amendment.

Chair Hardemon: All right. Do the mover and seconder approve of the friendly amendment?

Commissioner Gort: Yes.

Chair Hardemon: Secunder? I mean -- oh, there you are.

Commissioner Carollo: Mr. Chairman.

Chair Hardemon: You're recognized, sir.

Commissioner Carollo: Thank you, Mr. Chairman. First of all, I'd like to thank everyone from the Miami Outboard Club that came here to speak. You know, it really is impressive that you got a lot of people here; especially during the day that most people are out to work, so I do appreciate you being here. I have to admit, though, it has never really been about the organization. Although I inquired about the organization, it's never been about the organization. It has to do more with the actual lease, Watson Island waterfront property. We're going to be hearing -- which I was under the impression that we were going to hear it first, because it's before RE.4 -- the Miami Children's Museum. I'll be honest with you, I think the Miami

Children's Museum is another very good organization; and I'm pretty sure, if they would have organized, they would have gotten just as many people out here speaking in favor of it; and I would have been speaking in favor of Miami Children's Museum, the organization; just like I have no issues with the Miami Outboard Club, the organization. However, it's not about the organization; it's about waterfront property in Watson Island. It seems to me that in the Miami Children's Museum, even though it's a wonderful organization, it seems like they're going to have to go to a referendum, should we want to -- be able to give that land. I'm not sure. I -- you know, I thought that we were going to have that discussion beforehand, but it's my interpretation that they need to go to a referendum or the City or -- it needs to go to a referendum in order to do that type lease. I -- If you see here, one of the exemptions in 2D [sic], it say -- It says that the City Commission may waive the RPP proposal, and also the referendum. I'll be honest with you, I don't think that it should be waived. I think that just like all of you were able to come here and speak, I think all of the City of Miami should be able to speak too via referendum. Now, with that said, that doesn't mean that I want you guys leaving; that doesn't mean that I don't want the Outboard Club being there; that doesn't mean that I don't want you doing and continue the same things that you're doing. As a matter of fact, your current lease is through 2026, so this is not only a 45-year lease; it's a 45-year lease in addition to the 9 years that are left, so it's actually 54 years. And just to think how long 54 years is, the majority of us up here, if you think about it, we weren't born 54 years ago, even 45 years ago. The majority of us weren't even born 45 years ago.

Commissioner Gort: I was.

Commissioner Carollo: Well, I said, "the majority." I took you into consideration, Commissioner Gort. So it really is a long time. And, quite honestly, yeah, I have issues with \$6 million, you know, for an extension of 54 years. Again, that doesn't mean that there aren't other ways of doing it. I mean, if the real key is \$6 million in improvements -- and I do want to touch upon one of those improvements, because it says, "advertising sign." I don't know if that's a billboard to go there, and I would have some concerns about billboard being there. But anyways, with that said, if it really is, the issue about \$6 million, I mean, there's other ways of crafting this where we don't have to extend a 54-year lease, you know. I'll tell you right now, we didn't hear the discussion item, but it clearly states that we've put \$3 million -- 1 million per year -- for the Gusman, you know. I haven't gotten into the details of what they want to do there, but that potentially could be the -- you know, part of the money or half the money used to do the expansions that you want. So again, this isn't against the Miami Outboard Club. I've seen the work that you've done. I understand the deal pretty well. I understand the credits that you get for some of that work and so forth. And listen, I'm not going to take any credit away from a lot of the outreach that you've done in the community. However, in the deal itself, I think that it could be managed other ways, where you still stay there, where you still have the improvements; or if you really want the extension of the lease, and that's a key, we go to a referendum and let all City of Miami vote on it. And that's how I feel.

Chair Hardemon: Any further discussion?

Vice Chair Russell: Yes.

Chair Hardemon: You're recognized.

Vice Chair Russell: Can you --? You said, "may" -- If I understand right, it -- we're talking about 29D; is that correct?

Commissioner Carollo: 29D.

Vice Chair Russell: Because it does make provision for a water-dependent organization. It says that the City Commission is authorized to waive all competitive bidding and referendum requirements --

Commissioner Carollo: Right.

Vice Chair Russell: -- for entering into a lease or extending an existing lease with a nonprofit, noncommercial, water-dependent organization which seeks to provide marine recreational. I mean, it almost seems as if this was crafted for their entity, because it seems to apply to them so perfectly.

Commissioner Carollo: It may have been, but if you read 29D, it tells you City Commission may waive competitive bidding and referendum.

Vice Chair Russell: That's what I'm looking at, because I don't believe it says "may"; it just says, "The City Commission is authorized to waive" --

Commissioner Carollo: Well, same thing.

Vice Chair Russell: -- which is -- it's the same thing.

Commissioner Carollo: Same thing.

Vice Chair Russell: It's the same thing. I just wanted to make sure we meant it the same. To me, I'm comfortable with it, because it seems here that it's giving us authorization to do exactly what they do in this particular case, if we believe this is what's good for the City, and I'm in favor of it. In the case of the Children's Museum, we'll have to talk about that one when that one comes up, because it's -- they clearly don't apply to 29D in that case, in that situation.

Commissioner Carollo: Well, again, it's all these exemptions.

Vice Chair Russell: Yeah.

Commissioner Carollo: And we've spoken about this in the past; should we have all these exemptions, you know? I don't -- and again, it's not about the Miami Outboard Club, you know. I want them to stay there, you know. So I'll be on the record saying, "Yeah, I want them to stay there," you know. But if it's a lease of that magnitude, an additional 54 years, I do think on waterfront property in Watson Island, it should go to a referendum; and realistically, with the \$6 million -- come on, you've been up here, you know, long enough; you know the City could find \$6 million, if that really -- If the key really is the expansion, City could find \$6 million. It won't take very long, okay? You already know there's \$3 million there that has been sitting, getting dust, because it hasn't been used. And if we really are considering some type of negotiation with a private company, that should be part of the -- you know, part of the discussions.

Vice Chair Russell: Yeah.

Commissioner Carollo: So what I'm say is, what really is -- you know, what really do we want to accomplish? Do we want to accomplish that they have the expansion? We received additional revenues and they continue? I think it could be done, without extending for an additional 45 years, so that's what I'm saying. And then, if the key really is to extend it 45 years -- which I said, if you really want to see what type of life span that is, the majority of us weren't born 45 years ago, okay? So it's not -- and it's not just 45; it's 54, but if that's really what you want to do, I think, just like all these people spoke, everyone from the City should speak, and it should go to a referendum.

Vice Chair Russell: Well, we got something for our --

Commissioner Gort: Mr. Chairman, call the question.

Vice Chair Russell: -- Charter Review Committee to take up.

Chair Hardemon: Any further discussion?

Commissioner Gort: Call the question.

Chair Hardemon: Seeing none, all in favor of RE.4, indicate so by saying "aye."

Vice Chair Russell: Aye.

Commissioner Gort: Aye.

Chair Hardemon: All against?

Commissioner Carollo: No.

Chair Hardemon: Motion passes.

(Applause)

Vice Chair Russell: Thank you. I'm sick; I don't want to shake your hand. Thank you.

Commissioner Gort: Mr. Chairman.

Commissioner Carollo: I may be out there.

Commissioner Gort: I'm not going to be here this afternoon. I mean, I'm fighting two different things.

Vice Chair Russell: We're failing. This end of the dais is just going down the hill.

Commissioner Gort: So -- Is anything that you -- four-fifth coming up? Anything on four-fifth coming up or --? Is there any of them? I don't know.

Chair Hardemon: Decorum, everyone. We still have a meeting that's in place. I need everyone to remain silent.

RE.5

2839

**Department of Risk
Management**

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE PROPOSAL RECEIVED MAY 1, 2017 PURSUANT TO REQUEST FOR PROPOSALS ("RFP") NO. 680381 FROM STANDARD INSURANCE COMPANY ("STANDARD") TO PROVIDE AN INSURED EMPLOYER SPONSORED LONG TERM DISABILITY PROGRAM WITH THE OPTION TO BUY-UP TO A PREMIER AND A VOLUNTARY EMPLOYEE SHORT TERM DISABILITY PROGRAM (COLLECTIVELY REFERRED TO AS "PROGRAM") FOR THE CITY OF MIAMI'S EXECUTIVE EMPLOYEES FOR AN INITIAL PERIOD OF THREE (3) YEARS WITH AN OPTION TO RENEW FOR ONE (1) ADDITIONAL THREE (3) YEAR PERIOD ON AN AS-NEEDED CONTRACTUAL BASIS; ALLOCATING FUNDS FROM THE VARIOUS SOURCES OF FUNDS SUBJECT TO THE AVAILABILITY OF FUNDS AND BUDGETARY APPROVAL AT THE TIME OF NEED; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NEGOTIATED PROFESSIONAL SERVICES AGREEMENT ("PSA"), IN SUBSTANTIALLY THE ATTACHED FORM, WITH STANDARD FOR THE PROGRAM; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ALL OTHER DOCUMENTS, INCLUDING ANY AND ALL AMENDMENTS, RENEWALS, EXTENSIONS, AND MODIFICATIONS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, AS MAY BE NECESSARY FOR SAID PURPOSE.

RESULT:	NO ACTION TAKEN
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Note for the Record: Per Miami City Code Section 2-33(k), Item RE.5 was continued to the November 16, 2017, Regular Commission Meeting.

Chair Hardemon: The Chair would like to entertain a motion to approve items RE.5 through RE.11.

Vice Chair Russell: All right.

Chair Hardemon: Take time to read the titles of it.

Commissioner Carollo: Give me a second.

Chair Hardemon: Sure.

Vice Chair Russell: RE.9 I'd like to pull out of that, please.

Chair Hardemon: To discuss or to --?

Vice Chair Russell: I'm not sure. I'm going to get some advice here --

Chair Hardemon: Okay.

Vice Chair Russell: -- from the City Manager.

Chair Hardemon: So then that will be RE.5 -- the motion has not been made, but it will be to move RE.5, 6, 7, 8, 10, and 11. That will be the motion.

Commissioner Gort: Move it.

Chair Hardemon: It's been properly moved.

Barnaby Min (Deputy City Attorney): Mr. Chairman, I believe RE.10 needed a slight modification to change the word "sole" to "first."

Chair Hardemon: To include the modification, as noted by the City Attorney.

Commissioner Carollo: I can do RE.6 through 10.

Chair Hardemon: Okay. So the motion, to be clear, that is being made by Commissioner Gort will be to approve items RE.6, RE.7, RE.8, RE.10, and you don't want to include 11.

Commissioner Carollo: I just want to include -- They say it's the reserve account, but I want to make sure that in the item pertaining to the \$1.7 million roughly in District 3 that the word also "affordable housing" and "reserve" is there for RE.11.

Chair Hardemon: So we're going to include RE.11 in particular --

Commissioner Carollo: With those amendments.

Chair Hardemon: -- with that language, with those amendments that is -- that have been stated by Commissioner Carollo --

Commissioner Carollo: Yes.

Chair Hardemon: -- and also including the verbiage that was put on the record by the City Attorney for RE.10. So the Chair will second that motion that was made by Commissioner Carollo -- Commissioner Gort.

Commissioner Carollo: Yeah, I'll -- I apologize. I second the motion.

Chair Hardemon: Okay. Well, Commissioner Carollo has the second. So to be clear with the motion on the floor, to approve RE.6, 7, 8, 10, and 11, including the language added by Commissioner Carollo and the City Attorney. All in favor of the motion, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: All against? Motion passes. So 6, 7, 8, 10, 11.

RE.6**3010****Department of Risk
Management****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE PROPOSAL RECEIVED APRIL 17, 2017 PURSUANT TO REQUEST FOR PROPOSALS ("RFP") NO. 616390 FROM LS, INC. DBA LEGALSHIELD, INC. TO PROVIDE CITYWIDE GROUP LEGAL SERVICES AND IDENTITY THEFT SERVICES ON A CONTRACTUAL BASIS FOR AN INITIAL CONTRACT PERIOD OF THREE (3) YEARS WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE (1) YEAR PERIODS; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE NEGOTIATED PROFESSIONAL SERVICES AGREEMENT ("PSA"), IN SUBSTANTIALLY THE ATTACHED FORM, AND TO NEGOTIATE AND EXECUTE ANY AND ALL SUBSEQUENT DOCUMENTS, INCLUDING ANY AMENDMENTS, RENEWALS, EXTENSIONS, AND MODIFICATIONS TO THE AGREEMENT, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, AS MAY BE NECESSARY FOR SAID PURPOSE.

ENACTMENT NUMBER: R-17-0485

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Frank Carollo, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo
ABSENT:	Suarez

Note for the Record: For minutes referencing Item RE.6, please see Item RE.5

RE.7**2975****Commissioners
and Mayor****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY MANAGER TO WORK WITH THE MIAMI-DADE AGE-FRIENDLY INITIATIVE, THE AMERICAN ASSOCIATION OF RETIRED PERSONS' ("AARP") FLORIDA OFFICE, AND OTHER STAKEHOLDER ORGANIZATIONS WITH THE GOAL OF MAKING THE CITY OF MIAMI ("CITY") A MEMBER OF THE AARP NETWORK OF AGE-FRIENDLY COMMUNITIES AND THE WORLD HEALTH ORGANIZATION GLOBAL NETWORK OF AGE-FRIENDLY CITIES AND COMMUNITIES TO ENCOURAGE AND PROMOTE PUBLIC POLICIES OR PLANS THAT CONSIDER OLDER ADULTS AND SUPPORT HEALTHY AGING IN THE CITY AND MIAMI-DADE COUNTY, AS A WHOLE.

ENACTMENT NUMBER: R-17-0484

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Frank Carollo, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo
ABSENT:	Suarez

Note for the Record: For minutes referencing Item RE.7, please see Item RE.5

RE.8**2954**

**Department of
Community and
Economic
Development**

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE TRANSFER OF FUNDS IN THE AMOUNT OF \$195,000.00 FROM THE CITY OF MIAMI DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") PROGRAM INCOME FUNDS TO THE SINGLE FAMILY REHABILITATION PROGRAM TO PROVIDE HOUSING REPAIR ASSISTANCE TO QUALIFIED RESIDENTS WHOSE HOMES WERE IMPACTED BY HURRICANE IRMA, AS SPECIFIED IN EXHIBIT "A," ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL THE NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-17-0486

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Frank Carollo, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo
ABSENT:	Suarez

Note for the Record: For minutes referencing Item RE.8, please see "Public Comment for Regular Item(s)" and Item RE.5.

RE.9**3043**

**Commissioners
and Mayor**

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO MODIFY THE FLORIDA INLAND NAVIGATION DISTRICT ("FIND") GRANT APPLICATION SUBMITTED PURSUANT TO RESOLUTION NO. 17-0139, ADOPTED MARCH 23, 2017; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR THE SUBMISSION OF THE MODIFIED GRANT APPLICATION, THE EXECUTION OF GRANT OR DEED AGREEMENTS AND AMENDMENTS, MODIFICATIONS, AND EXTENSIONS THERETO, AND THE ACCEPTANCE OF GRANT FUNDS IN THE EVENT OF AN AWARD OF THE GRANT FOR FISCAL YEAR 2017-2018.

ENACTMENT NUMBER: R-17-0487

MOTION TO:	Adopt with Modification(s)
RESULT:	ADOPTED WITH MODIFICATION(S)
MOVER:	Ken Russell, Vice Chair
SECONDER:	Frank Carollo, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo
ABSENT:	Suarez

Note for the Record: For additional minutes referencing Item RE.9, please see Item RE.5

Commissioner Gort: RE.3.

Vice Chair Russell: I think with 9, I just need an amendment.

Chair Hardemon: Okay, you can call RE.9. I'll call RE.9 now. RE.9.

Vice Chair Russell: Thank you. Madam City Attorney, Mr. Manager, -- sorry, Mr. Attorney -- if you could help me out here. There's a concern that by modifying the grant, we risk losing the grant. So I was going to suggest an amendment where we're modifying the project or the scope or the design, which is already within the purview of the Manager to do. That would allow us to pass this but not put the grant at risk; is that correct?

Nzeribe Ihekwaba (Assistant City Manager/Chief of Operations): That's correct, sir.

Vice Chair Russell: All right. So what would be the wording that I would need to change there, Mr. City Attorney?

Barnaby Min (Deputy City Attorney): I believe, perhaps, it can be a resolution of the Miami City Commission, authorizing the City Manager to modify --

Commissioner Carollo: The design.

Mr. Min: -- the project design and scope, as described in the Florida Navigation grant application, and then continue with -- just add those words.

Vice Chair Russell: Thank you. I'll move it with that amendment.

Commissioner Carollo: Second.

Chair Hardemon: It's been properly moved with those amendments; seconded by Commissioner Carollo. Any further discussion on the item? Hearing none, all in favor of the item, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: All against? Motion passes.

Todd B. Hannon (City Clerk): As amended.

RE.10

3045

**Bayfront Park
Management Trust****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE EXECUTIVE DIRECTOR OF THE BAYFRONT PARK MANAGEMENT TRUST TO EXECUTE AMENDMENT NO. 2 IN SUBSTANTIALLY THE ATTACHED FORM, TO THE CONCESSION LICENSE AGREEMENT BETWEEN THE BAYFRONT MANAGEMENT TRUST AND CONWAY TOURS, INC. D/B/A BIG BUS TOURS/GRAY LINE, A FLORIDA LIMITED LIABILITY COMPANY, RATIFYING THE APPROVAL OF THE SOLE FIVE (5) YEAR OPTION TO RENEW, AND OUTLINING THE FEES ASSOCIATED WITH THE CONCESSIONAIRE'S OPERATION UNDER THE AGREEMENT; WITH TERMS AND CONDITIONS AS MORE SPECIFICALLY SET FORTH IN SAID AMENDMENT.

ENACTMENT NUMBER: R-17-0488

MOTION TO:	Adopt with Modification(s)
RESULT:	ADOPTED WITH MODIFICATION(S)
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Frank Carollo, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo
ABSENT:	Suarez

Note for the Record: For minutes referencing Item RE.10, please see Item RE.5

RE.11

2915

**Office of
Management and
Budget****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ADDING CAPITAL PROJECTS TO THE FISCAL YEAR 2017-2018 MULTI-YEAR CAPITAL PLAN ADOPTED WITH MODIFICATIONS ON SEPTEMBER 19, 2017 PURSUANT TO RESOLUTION NO. 17-0445 AND ON SEPTEMBER 28, 2017 PURSUANT TO RESOLUTION NO. 17-0475; REVISING CURRENT APPROPRIATIONS AMONG APPROVED PROJECTS; FURTHER APPROPRIATING AND RE-APPROPRIATING FUNDING FOR THE EXISTING AND ADDED PROJECTS; RATIFYING, APPROVING, AND CONFIRMING CERTAIN NECESSARY ACTIONS BY THE CITY MANAGER AND DESIGNATED CITY DEPARTMENTS IN ORDER TO UPDATE THE RELEVANT FINANCIAL CONTROLS AND COMPUTER SYSTEMS IN CONNECTION THEREWITH AND FOR GRANTS IN PROGRESS.

ENACTMENT NUMBER: R-17-0489

MOTION TO:	Adopt with Modification(s)
RESULT:	ADOPTED WITH MODIFICATION(S)
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Frank Carollo, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo
ABSENT:	Suarez

Note for the Record: For minutes referencing Item RE.11, please see Item RE.5

END OF RESOLUTIONS

AC - ATTORNEY-CLIENT SESSION**AC.1****3013*****Office of the City
Attorney*****ATTORNEY-CLIENT SESSION**

UNDER THE PARAMETERS OF SECTION 286.011(8), FLORIDA STATUTES, A PRIVATE ATTORNEY-CLIENT SESSION WILL BE CONDUCTED AT THE OCTOBER 12, 2017 MIAMI CITY COMMISSION MEETING. THE PERSON CHAIRING THE COMMISSION MEETING WILL ANNOUNCE THE COMMENCEMENT OF AN ATTORNEY-CLIENT SESSION, CLOSED TO THE PUBLIC, FOR PURPOSES OF DISCUSSING THE PENDING LITIGATION IN THE CASE OF VILLAGE OF KEY BISCAYNE V. CITY OF MIAMI, CASE NO. 15-02997 CA 09, TO WHICH THE CITY IS PRESENTLY A PARTY. THE SUBJECT OF THE MEETING WILL BE CONFINED TO SETTLEMENT NEGOTIATIONS OR STRATEGY SESSIONS RELATED TO LITIGATION EXPENDITURES. THIS PRIVATE MEETING WILL BEGIN AT APPROXIMATELY 3:00 P.M. (OR AS SOON THEREAFTER AS THE COMMISSIONERS' SCHEDULES PERMIT) AND CONCLUDE APPROXIMATELY ONE HOUR LATER. THE SESSION WILL BE ATTENDED BY THE MEMBERS OF THE CITY COMMISSION, WHICH INCLUDE CHAIRMAN KEON HARDEMON, VICE-CHAIRMAN KEN RUSSELL, AND COMMISSIONERS WIFREDO "WILLY" GORT, FRANK CAROLLO, AND FRANCIS X. SUAREZ; CITY MANAGER DANIEL J. ALFONSO; CITY ATTORNEY VICTORIA MENDEZ; DEPUTY CITY ATTORNEYS JOHN A. GRECO AND BARNABY L. MIN; DIVISION CHIEF FOR LAND USE/TRANSACTIONS RAFAEL SUAREZ-RIVAS; AND ASSISTANT CITY ATTORNEYS KERRI L. MCNULTY AND FORREST L. ANDREWS. A CERTIFIED COURT REPORTER WILL BE PRESENT TO ENSURE THAT THE SESSION IS FULLY TRANSCRIBED AND THE TRANSCRIPT WILL BE MADE PUBLIC UPON THE CONCLUSION OF THE ABOVE-CITED, ONGOING LITIGATION. AT THE CONCLUSION OF THE ATTORNEY-CLIENT SESSION, THE REGULAR COMMISSION MEETING WILL BE REOPENED AND THE PERSON CHAIRING THE COMMISSION MEETING WILL ANNOUNCE THE TERMINATION OF THE ATTORNEY-CLIENT SESSION.

RESULT:	NO ACTION TAKEN
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Note for the Record: Item AC.1 was rescheduled to the October 26, 2017, Planning and Zoning Commission Meeting.

END OF ATTORNEY-CLIENT SESSION

BC - BOARDS AND COMMITTEES

BC.1

2828

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE ARTS AND ENTERTAINMENT COUNCIL FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Mayor Tomás Regalado

Chair Keon Hardemon

Commissioner Frank Carollo

RESULT: NO ACTION TAKEN

BC.2

2113

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE AUDIT ADVISORY COMMITTEE FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Chair Keon Hardemon

Vice Chair Ken Russell

Commissioner Frank Carollo

RESULT: NO ACTION TAKEN

BC.3

3022

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE BAYFRONT PARK MANAGEMENT TRUST FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Vice Chair Ken Russell

Commissioner Francis Suarez

RESULT: NO ACTION TAKEN

BC.4

2510

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE CITY OF MIAMI BEAUTIFICATION COMMITTEE FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Commissioner Wifredo (Willy) Gort

Commissioner Frank Carollo

RESULT: NO ACTION TAKEN

BC.5

1070

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION CONFIRMING THE APPOINTMENT OF CERTAIN INDIVIDUALS AS MEMBERS OF THE CIVILIAN INVESTIGATIVE PANEL FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Civilian Investigative Panel

Civilian Investigative Panel

Civilian Investigative Panel

Civilian Investigative Panel

RESULT: NO ACTION TAKEN

BC.6

2243

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE CODE ENFORCEMENT BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Commissioner Francis Suarez

Commission-At-Large

(Alternate Member)

RESULT: NO ACTION TAKEN

BC.7
2515
Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE COMMUNITY RELATIONS BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Mayor Tomás Regalado
Mayor Tomás Regalado
Chair Keon Hardemon
Commissioner Frank Carollo
Commissioner Frank Carollo
Commissioner Francis Suarez

RESULT:	NO ACTION TAKEN
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BC.8
2514
Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE COMMISSION ON THE STATUS OF WOMEN FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Mayor Tomás Regalado
Vice Chair Ken Russell
Commissioner Wifredo (Willy) Gort
Commissioner Wifredo (Willy) Gort
Commissioner Frank Carollo
Commissioner Frank Carollo
Commissioner Francis Suarez

RESULT: NO ACTION TAKEN

BC.9

2854

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE EDUCATION ADVISORY BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

(Voting Member)

Commissioner Frank Carollo

City Manager Daniel J. Alfonso

(Post-Secondary Education Representative)

City Manager Daniel J. Alfonso

(School District Representative)

City Manager Daniel J. Alfonso

(Children's Trust Representative)

City Manager Daniel J. Alfonso

(Ex-Officio Non-Voting Member)

City Manager Daniel J. Alfonso

(Ex-Officio Non-Voting Youth Member)

City Manager Daniel J. Alfonso

RESULT: NO ACTION TAKEN

BC.10

RESOLUTION

2855

Office of the City Clerk

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE EQUAL OPPORTUNITY ADVISORY BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Chair Keon Hardemon

Chair Keon Hardemon

Vice Chair Ken Russell

Commissioner Frank Carollo

Commissioner Frank Carollo

Commissioner Francis Suarez

IAFF

FOP

AFSCME 871

RESULT: NO ACTION TAKEN

BC.11

RESOLUTION

2375

Office of the City Clerk

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE FINANCE COMMITTEE FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Mayor Tomás Regalado

Vice Chair Ken Russell

Commissioner Wifredo (Willy) Gort

RESULT: NO ACTION TAKEN

BC.12
1599
Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE HEALTH FACILITIES AUTHORITY BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Vice Chair Ken Russell

Commissioner Frank Carollo

Commissioner Francis Suarez

RESULT: NO ACTION TAKEN

BC.13
2519
Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE MAYOR'S INTERNATIONAL COUNCIL FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Mayor Tomás Regalado

Mayor Tomás Regalado

Vice Chair Ken Russell

RESULT: NO ACTION TAKEN

BC.14
3023
Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING A CERTAIN INDIVIDUAL AS A MEMBER OF THE MIAMI BAYSIDE FOUNDATION INC., FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

NOMINATED BY:

Commissioner Wifredo (Willy) Gort

RESULT: NO ACTION TAKEN

BC.15
2856
Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE MIAMI SPORTS AND EXHIBITION AUTHORITY FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Chair Keon Hardemon
Chair Keon Hardemon
Commissioner Frank Carollo
Commissioner Frank Carollo
City Commission

RESULT: NO ACTION TAKEN

BC.16
2127
Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE PARKS AND RECREATION ADVISORY BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Vice Chair Ken Russell
Commissioner Wifredo (Willy) Gort

RESULT: NO ACTION TAKEN

BC.17

1721

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING A CERTAIN INDIVIDUAL AS A MEMBER OF THE STARS OF CALLE OCHO WALK OF FAME COMMITTEE FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

NOMINATED BY:

Mayor Tomás Regalado

RESULT: NO ACTION TAKEN

BC.18

2129

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE URBAN DEVELOPMENT REVIEW BOARD (UDRB) FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Chair Keon Hardemon

Chair Keon Hardemon

Vice Chair Ken Russell

Vice Chair Ken Russell

Commissioner Wifredo (Willy) Gort

Commissioner Wifredo (Willy) Gort

Commissioner Frank Carollo

Commissioner Frank Carollo

Commissioner Francis Suarez

RESULT: NO ACTION TAKEN

BC.19

1603

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE VIRGINIA KEY BEACH PARK TRUST FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Chair Keon Hardemon

Vice Chair Ken Russell

Commissioner Frank Carollo

RESULT: NO ACTION TAKEN

BC.20

2859

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE WATERFRONT ADVISORY BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Mayor Tomás Regalado

Mayor Tomás Regalado

Chair Keon Hardemon

Chair Keon Hardemon

Vice Chair Ken Russell

Commissioner Wifredo (Willy) Gort

Commissioner Frank Carollo

Commissioner Frank Carollo

Commissioner Francis Suarez

RESULT: NO ACTION TAKEN

END OF BOARDS AND COMMITTEES

DI - DISCUSSION ITEMS**DI.1****2580*****Planning, Zoning
and Appeals Board*****DISCUSSION ITEM**

REINSTATEMENT OF HEALTHCARE COVERAGE FOR PLANNING,
ZONING AND APPEALS (PZAB) BOARD MEMBERS.

RESULT:	NO ACTION TAKEN
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Note for the Record: Per Miami City Code Section 2-33(k), Item DI.1 was continued to the November 16, 2017, Regular Commission Meeting.

DI.2**2603*****Department of Real
Estate and Asset
Management*****DISCUSSION ITEM**

DISCUSSION TO REVIEW THE UNSOLICITED PROPOSAL
SUBMITTED BY RUDG, LLC ("RELATED") TO FORM A PUBLIC-
PRIVATE PARTNERSHIP FOR THE OLYMPIA THEATER (ALSO
KNOWN AS THE GUSMAN THEATER), WHEREBY RELATED
PROPOSES TO RENOVATE THE THEATER AND REDEVELOP
THE EXISTING RESIDENTIAL UNITS.

MOTION TO:	Defer
RESULT:	DEFERRED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Frank Carollo, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo
ABSENT:	Suarez

Note for the Record: Item DI.2 was deferred to the October 26, 2017, Planning and Zoning Commission Meeting.

For minutes referencing Item DI.2, please see "Order of the Day" and "Public Comment for Regular Item(s)."

DI.3**2626*****Department of Real
Estate and Asset
Management*****DISCUSSION ITEM**

DISCUSSION TO REVIEW THE UNSOLICITED PROPOSAL
SUBMITTED BY SANCTUS SPIRITUS LLC ("PROPOSER") FOR A
PUBLIC-PRIVATE PARTNERSHIP TO REDEVELOP FORT DALLAS
PARK AND DEVELOP A RESTAURANT THEREON, AS WELL AS
MAKE CAPITAL IMPROVEMENTS TO THE PALM COTTAGE.

MOTION TO:	Defer
RESULT:	DEFERRED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Frank Carollo, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo
ABSENT:	Suarez

Note for the Record: Item DI.3 was deferred to the October 26, 2017, Planning and Zoning Commission Meeting.

For minutes referencing Item DI.3, please see "Order of the Day" and "Public Comment for Regular Item(s)."

END OF DISCUSSION ITEMS

PART B: PZ - PLANNING AND ZONING ITEM(S)

The following item(s) shall not be considered before 2:00 PM

PZ.1 ORDINANCE Second Reading

1909

Department of Planning and Zoning

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, SPECIFICALLY BY AMENDING ARTICLE 1, SECTION 1.5, ENTITLED "DEFINITIONS OF ART IN PUBLIC PLACES PROGRAM"; ARTICLE 3, SECTION 3.17, ENTITLED "PUBLIC ART REQUIREMENTS"; AND ARTICLE 11, ENTITLED "ART IN PUBLIC PLACES PROGRAM," TO PROVIDE FOR PUBLIC ART REQUIREMENTS FOR PRIVATE DEVELOPMENTS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

RESULT:	NO ACTION TAKEN
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Note for the Record: Per Miami City Code Section 2-33(k), Item PZ.1 was continued to the November 16, 2017, Planning and Zoning Commission Meeting.

For minutes referencing Item PZ.1, please see "Order of the Day," "Public Comment for Regular Item(s)," and "End of Consent Agenda."

PZ.2 RESOLUTION

2841

Department of Planning and Zoning

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), CLOSING, VACATING, ABANDONING, AND DISCONTINUING FOR PUBLIC USE PORTIONS OF PUBLIC STREETS GENERALLY KNOWN AS NORTHEAST 1ST AVENUE (NORTHEAST MIAMI PLACE) AND NORTHEAST 52ND TERRACE LOCATED WITHIN THE MIAMI JEWISH HEALTH SYSTEMS' PROPERTIES BOUNDED ON THE EAST BY NORTHEAST 2ND AVENUE, ON THE SOUTH BY NORTHEAST 50TH TERRACE, ON THE WEST BY NORTHEAST MIAMI PLACE AND NORTH MIAMI AVENUE, AND ON THE NORTH BY NORTHEAST 53RD STREET, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ("PROPERTIES"); FURTHER RECOMMENDING THAT SEVEN (7) EASEMENTS LOCATED WITH THE PROPERTIES BE VACATED; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

RESULT:	NO ACTION TAKEN
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Note for the Record: Per Miami City Code Section 2-33(k), Item PZ.2 was continued to the November 16, 2017, Planning and Zoning Commission Meeting.

For minutes referencing Item PZ.2, please see "Order of the Day."

PZ.3**ORDINANCE****First Reading****2842*****Department of
Planning and
Zoning***

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN ("MCNP") PURSUANT TO SMALL SCALE AMENDMENT PROCEDURES SUBJECT TO §163.3187, FLORIDA STATUTES, BY CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 62,593 SQUARE FEET OR 1.44 ACRES FROM "LOW DENSITY MULTIFAMILY RESIDENTIAL" TO "MAJOR INSTITUTIONAL, PUBLIC FACILITIES, TRANSPORTATION AND UTILITIES" FOR THE REAL PROPERTIES APPROXIMATELY LOCATED AT 5265 NORTH MIAMI AVENUE, 10 NORTHEAST 53 STREET, 20 NORTHEAST 53 STREET, 32 NORTHEAST 53 STREET, 42 NORTHEAST 53 STREET, 58 NORTHEAST 53 TERRACE, 57 NORTHEAST 52 TERRACE, 43 NORTHEAST 52 TERRACE, 35 NORTHEAST 53 TERRACE, 25 NORTHEAST 52 TERRACE, 17 NORTHEAST 52 TERRACE, AND 11 NORTHEAST 52 TERRACE, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

RESULT:	NO ACTION TAKEN
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Note for the Record: Per Miami City Code Section 2-33(k), Item PZ.3 was continued to the November 16, 2017, Planning and Zoning Commission Meeting.

PZ.4

ORDINANCE

First Reading

2843

**Department of
Planning and
Zoning**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), PURSUANT TO ARTICLES 3 AND 7 OF ORDINANCE NO. 13114, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA ("MIAMI 21 CODE"), REZONING CERTAIN PARCELS FOR THE DEVELOPMENT OF APPROXIMATELY 20.975 ACRES (913,683,200 SQUARE FEET) FOR THE "MIAMI JEWISH HEALTH SYSTEMS SPECIAL AREA PLAN" ("SAP"), A MEDICAL CAMPUS DEVELOPMENT LOCATED AT APPROXIMATELY 5060, 5200, AND 5246 NORTHEAST 2 AVENUE, 5201 AND 5265 NORTH MIAMI AVENUE, 95, 145, AND 155 NORTHEAST 50 TERRACE, 71 AND 75 NORTHEAST 51 STREET, 10, 20, 32, 42, AND 58 NORTHEAST 53 STREET, AND 11, 17, 25, 35, 36, 43, 44, 57, AND 61 NORTHEAST 52 TERRACE, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; THE SAP CONSISTS OF A PHASED PROJECT DIVIDED INTO A MAXIMUM OF FOUR (4) PHASES WHICH INCLUDE APPROXIMATELY 1,497,754 SQUARE FEET OF STRUCTURES AFTER ALL PHASES OF THE SAP ARE COMPLETED CONSISTING OF A) PHASE I EMPATHICARE BUILDING WITH THREE-STORY GARAGE, B) PHASE II INSTITUTE AND FIVE-STORY GARAGE, C) PHASE III CONFERENCE AND HOTEL CENTER, AND D) PHASE IV CYPEN TOWER CONNECTOR, WELCOME CENTER, THERAPY CENTER, THERAPY VILLAGE, VILLAGE BISTRO, CREATIVE ART CENTER, AND SUMMER GARDEN; THE SAP WILL MODIFY THE TRANSECT ZONE REGULATIONS THAT ARE APPLICABLE TO THE SUBJECT PARCELS, WHERE A SECTION IS NOT SPECIFICALLY MODIFIED, THE REGULATIONS AND RESTRICTION OF MIAMI 21 CODE APPLY; THE SQUARE FOOTAGES ABOVE ARE APPROXIMATE AND MAY INCREASE OR DECREASE AT TIME OF BUILDING PERMIT BUT SHALL NOT EXCEED 1,497,754 SQUARE FEET OF DEVELOPMENT; AND SHALL CONTAIN A MINIMUM OF 63,277 SQUARE FEET OF CIVIC SPACE AND A MINIMUM OF 461,601 SQUARE FEET OF OPEN SPACE; MAKING FINDINGS OF FACT; STATING CONCLUSIONS OF LAW; PROVIDING FOR BINDING EFFECT; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

RESULT:	NO ACTION TAKEN
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Note for the Record: Per Miami City Code Section 2-33(k), Item PZ.4 was continued to the November 16, 2017, Planning and Zoning Commission Meeting.

PZ.5

2844

*Department of
Planning and
Zoning*

ORDINANCE**First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING A DEVELOPMENT AGREEMENT PURSUANT TO CHAPTER 163, FLORIDA STATUTES, BETWEEN THE MIAMI JEWISH HEALTH SYSTEMS, INC. AND THE CITY OF MIAMI, FLORIDA, RELATING TO THE REZONING OF CERTAIN PARCELS FOR THE DEVELOPMENT OF 20.98 ± ACRES FOR THE "MIAMI JEWISH HEALTH SYSTEMS SPECIAL AREA PLAN" ("MJHSAP"), COMPRISED OF SELECTED PARCELS, LOCATED AT APPROXIMATELY 5060, 5200, AND 5246 NORTHEAST 2 AVENUE, 5201 AND 5265 NORTH MIAMI AVENUE, 95, 145, AND 155 NORTHEAST 50 TERRACE, 71 AND 75 NORTHEAST 51 STREET, 36 AND 44 NORTHEAST 52 TERRACE, 10, 20, 32, 42, AND 58 NORTHEAST 53 STREET; AND 11, 17, 25, 35, 43, 57, AND 61 NORTHEAST 52 TERRACE, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED AND INCORPORATED, FOR THE PURPOSE OF REDEVELOPMENT OF SUCH LAND FOR AN ENCLOSED HOSPITAL CAMPUS WITH A RESEARCH INSTITUTE, HOTEL, AND MEMORY CARE FACILITY; AUTHORIZING THE FOLLOWING USES, INCLUDING BUT NOT LIMITED TO, RESIDENTIAL, COMMERCIAL, LODGING, CIVIC, EDUCATIONAL AND CIVIL SUPPORT, PARKING GARAGE, AND ANY OTHER USES AUTHORIZED BY THE MJHSAP, AND PERMITTED BY THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN – FUTURE LAND USE MAP DESIGNATION, AND ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; AUTHORIZING A DENSITY OF APPROXIMATELY SIXTY-FIVE (65) DWELLING UNITS PER ACRE IN SOME AREAS AND ONE HUNDRED FIFTY (150) DWELLING UNITS PER ACRE IN SOME AREAS; AUTHORIZING A BUILDING HEIGHT BETWEEN FIVE (5) AND TWELVE (12) STORIES BASED ON THE TRANSECT ZONE INCLUSIVE OF AVAILABLE BONUSES; AUTHORIZING THE CITY MANAGER TO EXECUTE THE DEVELOPMENT AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

RESULT:	NO ACTION TAKEN
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Note for the Record: Per Miami City Code Section 2-33(k), Item PZ.5 was continued to the November 16, 2017, Planning and Zoning Commission Meeting.

PZ.6

2508

*Department of
Planning and
Zoning*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPROVING/DENYING THE APPEAL OF WARRANT NO. 2017-0004 ISSUED PURSUANT TO ARTICLE 4, TABLE 3 OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("MIAMI 21 CODE"), TO ALLOW A FOOD SERVICE ESTABLISHMENT LOCATED WITHIN A D3 ("WATERFRONT INDUSTRIAL") TRANSECT ZONE AND PURSUANT TO ARTICLE 6, SECTION 6.3.2 OF THE MIAMI 21 CODE TO ALLOW AN OUTDOOR DINING AREA AND THE DISPLAY AND SALE OF ITEMS FROM VENDING CARTS; A WAIVER PURSUANT TO ARTICLE 7, SECTION 7.2.8(B) OF THE MIAMI 21 CODE TO ALLOW THE ADAPTIVE USE TO A RESTAURANT USE IN A D3 ("WATERFRONT INDUSTRIAL") TRANSECT ZONE FOR THE PROPERTY LOCATED AT 125, 127, AND 131 NORTHWEST SOUTH RIVER DRIVE, MIAMI, FLORIDA; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

RESULT:	NO ACTION TAKEN
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Note for the Record: Per Miami 21 Section 7.1.1.5(i), Item PZ.6 was deferred to the October 26, 2017, Planning and Zoning Commission Meeting.

For minutes referencing Item PZ.6, please see "Public Comment for Regular Item(s)."

END OF PLANNING AND ZONING ITEM(S)

M - MAYOR AND COMMISSIONERS' ITEMS

CITYWIDE

HONORABLE MAYOR TOMÁS REGALADO

END OF CITYWIDE ITEMS

D1 - DISTRICT 1

COMMISSIONER, DISTRICT ONE WIFREDO (WILLY) GORT

END OF DISTRICT 1 ITEMS

D2 - DISTRICT 2

VICE CHAIR KEN RUSSELL

END OF DISTRICT 2 ITEMS

D3 - DISTRICT 3

COMMISSIONER, DISTRICT THREE FRANK CAROLLO

END OF DISTRICT 3 ITEMS

D4 - DISTRICT 4

COMMISSIONER, DISTRICT FOUR FRANCIS SUAREZ

END OF DISTRICT 4 ITEMS

D5 - DISTRICT 5

CHAIR KEON HARDEMON
END OF DISTRICT 5 ITEMS

FL - FUTURE LEGISLATION

FL.1

2773

*Department of
Planning and
Zoning***ORDINANCE**

A RESOLUTION OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY AMENDING ARTICLE 1, SECTION 1.2, ENTITLED "DEFINITIONS OF TERMS," AND ARTICLE 3, SECTION 3.11, ENTITLED "WATERFRONT SETBACKS"; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

RESULT: NO ACTION TAKEN

FL.2

3003

*Department of
Planning and
Zoning***ORDINANCE**

AN ORDINANCE AMENDING ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY AMENDING ARTICLE 5, SECTION 5.5.4, ENTITLED "PARKING STANDARDS (T5)", TO ALLOW FOR PARKING IN THE SECOND LAYER ABOVE THE FIRST STORY BY WAIVER IN A T5 TRANSECT ZONE, AND BY AMENDING ARTICLE 7, SECTION 7.1.2.5, ENTITLED "WAIVER", TO LIST THE NEW WAIVER; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

RESULT: NO ACTION TAKEN

END OF FUTURE LEGISLATION

NA - NON-AGENDA ITEM(S)**NA.1****3103****Office of the City
Clerk****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION SUPPORTING THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION'S STRATEGIC MIAMI AREA RAPID TRANSIT ("SMART") PLAN; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE DESIGNATED OFFICIALS HEREIN.

ENACTMENT NUMBER: R-17-0491

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Francis Suarez, Commissioner
SECONDER:	Wifredo (Willy) Gort, Commissioner
AYES:	Hardemon, Gort, Carollo, Suarez
ABSENT:	Russell

Commissioner Suarez: I'd like to make a motion to endorse and support Miami-Dade TPO Strategic Miami Area Rapid Transit Plan, the SMART Plan. I thought we had already done it, but if we haven't, let's do it now, because I think -- I know you came before, and I think there was some -- you had to come and then you couldn't come. But now is as good a time as any, so I'd like -- I make -- I'd like to make that motion.

Commissioner Gort: Second.

Chair Hardemon: It's been properly moved and seconded. Is there any discussion about the motion that's on the floor? Seeing none, all in favor, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: Motion passes.

Miami-Dade County Commission Chairman Bovo: Thank you. Thank you, members.

Chair Hardemon: Thank you very much, sir. Thank you very much.

NA.2**3104****Office of the City
Clerk****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, PURSUANT TO SECTION 62-535 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "TEMPORARY USES ON VACANT LAND," EXTENDING THE TEMPORARY USE PERMIT FOR THE WYNWOOD YARD, LOCATED APPROXIMATELY AT LOTS 56, 64, 70, 82 NORTHWEST 29TH STREET, MIAMI, FLORIDA, FOR THIRTY (30) DAYS FROM OCTOBER 20, 2017, THE EXPIRATION DATE OF IT CURRENT TEMPORARY USE PERMIT.

ENACTMENT NUMBER: R-17-0492

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Gort, Suarez
ABSENT:	Russell, Carollo

Chair Hardemon: Commissioner Gort, would you be the mover of that, of what she just requested?

Commissioner Gort: I will.

Chair Hardemon: He's been -- he's moved it; the Chair has seconded that resolution that I don't -- I'm hoping it's captured by our City Clerk. We do have quorum that is here, consisting of Commissioner Gort, Commissioner Hardemon, and also Commissioner Suarez, and so I'll call the question on that. All in favor of that motion, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: And there's no one against, so it's unanimous.

Todd B. Hannon (City Clerk): The motion exactly -- Are we amending the legislation, or what was the --?

Chair Hardemon: No. This is a separate resolution.

Mr. Hannon: Separate motion, okay.

Chair Hardemon: The motion -- the resolve basically is that we allow for the -- we extend for an additional 30 days -- Madam City Attorney, I want you to say it, because you -- I think you articulated it first, so I think you need to state what the motion is that passed.

Victoria Méndez (City Attorney): Basically, it would be to extend the permit for -- What location?

Devin Cejas (Zoning Administrator, Department of Planning): For -- in -- the Wynwood Yard, off of 36th Street.

Ms. Méndez: To extend for an additional month; while they go through the process of reapplying for their temporary uses, to extend it for a month or 45 days, in order to address their present permitting scheme.

Chair Hardemon: So essentially, what it will allow-- or disallow is for Code Enforcement to go in and shut down their operations during that time.

Ms. Méndez: It -- maintain the status quo for --

Chair Hardemon: Exactly. All right, so that motion did pass.

NA.3

3105

Office of the City
Clerk**DISCUSSION ITEM****HURRICANE IRMA DEBRIS REMOVAL PROGRESS
PRESENTATION**

RESULT:	DISCUSSED
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Chair Hardemon: We may not end up having a quorum, but what I'll do right now is I'll -- I'm going to open up the floor -- I'm sorry, not open the floor, but I'll open the meeting back up, and I'll allow Mr. Ihekwa to give a short presentation on the cleanup efforts that are going on in the City of Miami. So you're recognized, Mr. Ihekwa.

Vice Chair Russell: That's a sharp tie.

Nzeribe Ihekwa (Chief of Operations): Good afternoon. Zerry Ihekwa, Assistant City Manager. I'd like to bring a quick update on the progress of the cleanup of the City of Miami after the recent Hurricane Irma. Last City Commission meeting, I made a similar presentation, where I presented the continuing efforts of the City to address the piles of debris within the City streets. The emergency removal services are being handled by three contractors: DRC, SERES, and Crowder Gulf. Crowder Gulf just joined the team, as recent as a week and a half ago; and the monitoring consultant is the engineer company of Tetra Tech. Based on the daily assignment of scheduled meetings and conference calls that we've had so far, I'm going to show what we have as the progress of work to date. In addition to those three contractors, the City of Miami's Departments of Solid Waste, Public Works, Parks & Recreation are also part of the debris removal efforts, with the support of Miami Fire Department, Police, Procurement, and the Office of NET (Neighborhood Enhancement Team) and Code. During the first week, we had handled the critical infrastructure needs of the City, such as the hospital districts, the fire stations, police stations, and the vicinity of the school that we have within that jurisdiction. Major arterial roadways, notwithstanding if they are State or County, had also been cleaned up, based on the effort of the City. We're now primarily focused on the residential areas. While within -- by sometime the next couple of weeks, we're going to commence cleanup in the City parks. We're currently handling the debris management at the following sites: Virginia Key Compost Facility, Biscayne Park on Biscayne Boulevard, just west of Biscayne, and also at the PBA Fern Isle Park and Marlins Park, as well as a private lot that we just recently acquired. To date, we've certified a total of 582 trucks to address this problem, and those trucks have been deployed on a daily basis. We had fluctuation in services, based on the breakdown of the trucks. Currently, as of yesterday, SERES, the company, has 184 trucks in operation, DRC has 336, and Crowder Gulf had 62. To date, the contractors have removed a total of 426,393 cubic yards of debris; and this is comprising of SERES, operating at 64,000 -- 145,000 -- excuse me -- for 436 cubic yards; DRC has 272,796; Crowder Gulf -- they just started about a week ago -- had just done 8,161 cubic yards, and the City's internal efforts had yielded a total of 76,462. The bar chart on the screen shows the ramp-up of activities from the first initiation of work on the 15th of September. Last Friday we didn't have -- last Thursday we didn't have much of work, because of an inclement weather, so it shows clearly there. And as of date, we've removed a total of 502,855 cubic yards, which represents about 67 percent of the estimated quantities that needs to be removed. Yes, Commissioner.

Vice Chair Russell: Mr. Chairman. Looking at the graph, if the blue is DRC and the yellow is SERES, it looks like DRC's doing about twice the amount of

production as SERES. Is that because of the area they're covering or the capacity of trucks they have? Which is assigned to which part of the town?

Mr. Ihekwaba: Initially, during the first one week and a half, DRC was handling the areas south of Flagler, and SERES was handling the areas north of Flagler. Then we realized that there was a situation of the location of the DMS. The debris management sites were so far apart, so we had to -- because of the travel distance for the trucks, we had to get them additional debris management sites. And the fact that most of the debris, unfortunately, in the north of Flagler area were essentially mixed piles, so they were mixed up with vegetative material, as well as garbage. However, about two Fridays ago, we got confirmation from the County that the debris management sites can handle both types of debris, because during the first two weeks, they were actually not picking up the mixed piles. They were focused primarily on the clean piles of vegetative materials. So once we got that approval and clarification, they were able to increase their production. However, if you look at the number of trucks that they do have, DRC has twice as much trucks as SERES. The --

Vice Chair Russell: That's fine.

Mr. Ihekwaba: We were made to understand that SERES has a number of contracts. They are responsible for Miami Beach, as well as for the Miami-Dade County Public Schools, so they are spreading themselves thin. And we were able to activate DRC and the third contractor, Crowder Gulf, to help out in the northern area of the City to at least pick up the slack that SERES was leaving behind.

Vice Chair Russell: So I apologize to interrupt the presentation, but as you were mentioning this change in policy from the non-mixed to now accepting mixed --

Mr. Ihekwaba: Yeah.

Vice Chair Russell: -- is this a learning that we can carry forward into the future that we have a steady policy from the start of the recovery beyond? And the only reason I ask this is that the communication to residents, to them, feels inconsistent, because one day we're giving them a message, "Your mixed pile will get passed over," and then -- you know, so maybe they hire somebody specifically, or they go to a lot of extra effort to separate, and then the next week, we're willing to do it. It's a good evolution that we're able to take these piles, but to those who worked hard to separate and have either maybe paid a separate hauler to come in and help them with the other non-tree debris, they feel like our story has changed. How would you say we would handle it in the future and --?

Mr. Ihekwaba: I think the very important, critical points here is that based on the expectation that FEMA (Federal Emergency Management Agency) will not reimburse the pickup of mixed piles, so the focus was not on mixed piles at the beginning. Once we got that clarification from DERM (Department of Environmental Resource Management), the Resource -- the department at the County responsible for the issuance of the permits, so it became an easier thing to do to pick up all piles. So I think the mixed messaging came up because of lack of information from the permitting agencies as to whether the mixed piles will be accepted at the debris management sites. If that were not to happen, we would have been forced to be picking them up on the streets and sending them straight to the land field; and that is not acceptable at the land field, because they needed to be compressed and reduced in size.

Vice Chair Russell: So FEMA changed their position?

Mr. Ihekweba: I don't think it's a change of policy or position from FEMA. I think it's a clarification --

Vice Chair Russell: Clarification.

Mr. Ihekweba: -- from the permitting agency.

Vice Chair Russell: And so, at least one group is sensitive to this on Virginia Key --

Mr. Ihekweba: Yeah.

Vice Chair Russell: -- where they were given assurances at the beginning that we were using this site as a mulching site only, and that the other debris would -- if some did come in as contaminated, you know, tree debris, they would be separated and then removed, but now it seems we're taking everything there as it's picked up, as one of the DMS sites, right?

Mr. Ihekweba: The DMS sites are simply a temporary storage area. They're not going to be left over there for a long time. As a matter of fact, as of yesterday meeting that we had, there was a consensus that sometime the next week, the contractors, all three of them, will commence final disposal of these materials to their final resting place, which will be at the --

Vice Chair Russell: The land fields.

Mr. Ihekweba: -- land fields.

Vice Chair Russell: Thank you.

Chair Hardemon: Okay.

Mr. Ihekweba: So having said that, the total estimated debris quantity citywide is about 750,000, which was a slight adjustment. At the last Commission meeting, we mentioned about 700,000, so there's a little uptake there. We expect this number to continue to grow, because folks are beginning to do additional tree trimming in their backyards and bringing up new piles. The total quantities removed by the contractors, like I said, is 426,393; and once you add that up to the City, we've successfully removed 503,855 cubic yards, which represents about 67 percent. Now, we are doing excellently well, I may say. If you compare the City of Miami debris removal efforts with the rest of the surrounding municipalities and Broward County, we are well ahead of the curve. The Manager had made a promise that we should be able to wrap this up by end of November. I think we're going to make sure that we're going to go beyond that deadline. We're actually going to be way ahead of schedule. This is only the first pass. Any street that we've already gone through, we will have to go back there maybe second or third time before we declare it's cleaned up. So right now we do not say that there's any City street that has been cleaned. What we normally say that it's more than 50 percent complete. Just to give us the wiggle room to be able to go back a couple of times and make sure everything is all cleaned up, especially the swale areas and the sidewalks. And in addition to that, there are some trees that have been missed by the companies, based on our own internal audits. The assignments are done based on City grids, and we found out eventually that one or two streets within those grids have been missed. So what we've done now is to send our own City inspectors to commence an internal audit of these whole areas; especially areas in North Grove, South Grove, the Roads, parts of Allapattah, and some areas in the Upper Eastside of the City. Thank you.

Vice Chair Russell: Mr. Ihekwa, did we change the rates after our last meeting when we gave authorization? Was it necessary to increase the rates? Was there any change?

Mr. Ihekwa: No, it has not been changed. Any other question? Thank you.

Chair Hardemon: Let's finish the agenda. RE.2, it's a resolution to transfer land to Miami Children's Museum.

NA.4

3106

**Office of the City
Clerk**

ATTORNEY-CLIENT SESSION

UNDER THE PARAMETERS OF SECTION 286.011(8), FLORIDA STATUTES, A PRIVATE ATTORNEY-CLIENT SESSION WILL BE CONDUCTED AT THE OCTOBER 26, 2017 MIAMI CITY COMMISSION MEETING. THE PERSON CHAIRING THE COMMISSION MEETING WILL ANNOUNCE THE COMMENCEMENT OF AN ATTORNEY-CLIENT SESSION, CLOSED TO THE PUBLIC, FOR PURPOSES OF DISCUSSING THE PENDING LITIGATION IN THE CASE OF VILLAGE OF KEY BISCAYNE V. CITY OF MIAMI, CASE NO. 15-02997 CA 09, TO WHICH THE CITY IS PRESENTLY A PARTY. THE SUBJECT OF THE MEETING WILL BE CONFINED TO SETTLEMENT NEGOTIATIONS OR STRATEGY SESSIONS RELATED TO LITIGATION EXPENDITURES. THIS PRIVATE MEETING WILL BEGIN AT APPROXIMATELY 3:00 P.M. (OR AS SOON THEREAFTER AS THE COMMISSIONERS' SCHEDULES PERMIT) AND CONCLUDE APPROXIMATELY ONE HOUR LATER. THE SESSION WILL BE ATTENDED BY THE MEMBERS OF THE CITY COMMISSION, WHICH INCLUDE CHAIRMAN KEON HARDEMON, VICE-CHAIRMAN KEN RUSSELL, AND COMMISSIONERS WIFREDO "WILLY" GORT, FRANK CAROLLO, AND FRANCIS X. SUAREZ; CITY MANAGER DANIEL J. ALFONSO; CITY ATTORNEY VICTORIA MENDEZ; DEPUTY CITY ATTORNEYS JOHN A. GRECO AND BARNABY L. MIN; DIVISION CHIEF FOR LAND USE/TRANSACTIONS RAFAEL SUAREZ-RIVAS; AND ASSISTANT CITY ATTORNEYS KERRI L. MCNULTY AND FORREST L. ANDREWS. A CERTIFIED COURT REPORTER WILL BE PRESENT TO ENSURE THAT THE SESSION IS FULLY TRANSCRIBED AND THE TRANSCRIPT WILL BE MADE PUBLIC UPON THE CONCLUSION OF THE ABOVE-CITED, ONGOING LITIGATION. AT THE CONCLUSION OF THE ATTORNEY-CLIENT SESSION, THE REGULAR COMMISSION MEETING WILL BE REOPENED AND THE PERSON CHAIRING THE COMMISSION MEETING WILL ANNOUNCE THE TERMINATION OF THE ATTORNEY-CLIENT SESSION.

RESULT:	DISCUSSED
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Victoria Méndez (City Attorney): Chairman, may I read two of my scripts? Thank you. Chairman and members of the Commission, pursuant to the provisions of Section 286.011(8) Florida Statutes, I'm requesting that at the City Commission meeting of October 26, 2017, an attorney-client session, closed to the public, be held for the purposes of discussing the pending litigation in the case of Village of Key Biscayne versus City of Miami, Case Number 15-02997 CA 09, before the Circuit Court of the Eleventh Judicial Circuit, in and for Miami-Dade County, to which the City is presently a party. The subject of the meeting will be confined to settlement negotiations or strategy sessions [sic] related to litigation expenditures. This private

meeting will begin at approximately 3 p.m. or as soon thereafter, as the Commissioners' schedules permit, and conclude approximately one hour later. The session will be attended by members of the City Commission, which include Chairman Keon Hardemon, Vice Chairman Ken Russell, Commissioners Wifredo "Willy" Gort, Frank Carollo, and Francis Suarez; the City Manager, Daniel Alfonso; myself, the City Attorney; Deputy City Attorneys John Greco and Barnaby Min; Division Chief for Land Use and Transactional Rafael Suarez Rivas; Assistant City Attorneys Kerri McNulty and Forrest Andrews. A certified copy [sic] of the court reporter will be present to ensure that the session is fully transcribed, and the transcript will be made public upon conclusion of the litigation. At the conclusion of the attorney-client session, the City Commission meeting will be reopened, and the person chairing the City Commission meeting will announce the termination of the attorney-client session.

NA.5

3107

Office of the City
Clerk**ATTORNEY-CLIENT SESSION**

UNDER THE PARAMETERS OF SECTION 286.011(8), FLORIDA STATUTES, A PRIVATE ATTORNEY-CLIENT SESSION WILL BE CONDUCTED AT THE OCTOBER 26, 2017 MIAMI CITY COMMISSION MEETING. THE PERSON CHAIRING THE COMMISSION MEETING WILL ANNOUNCE THE COMMENCEMENT OF AN ATTORNEY-CLIENT SESSION, CLOSED TO THE PUBLIC, FOR PURPOSES OF DISCUSSING THE PENDING LITIGATION IN THE MATTER OF FLAGSTONE ISLAND GARDENS, LLC AND FLAGSTONE DEVELOPMENT CORP. V. CITY OF MIAMI, CASE NO. 17-13829 CA 44, PENDING IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, TO WHICH THE CITY IS PRESENTLY A PARTY. THE SUBJECT OF THE MEETING WILL BE CONFINED TO SETTLEMENT NEGOTIATIONS OR STRATEGY SESSIONS RELATED TO LITIGATION EXPENDITURES. THIS PRIVATE MEETING WILL BEGIN AT APPROXIMATELY 3:00 P.M. (OR AS SOON THEREAFTER AS THE COMMISSIONERS' SCHEDULES PERMIT) AND CONCLUDE APPROXIMATELY ONE HOUR LATER. THE SESSION WILL BE ATTENDED BY THE MEMBERS OF THE CITY COMMISSION, WHICH INCLUDE CHAIRMAN KEON HARDEMON, VICE-CHAIRMAN KEN RUSSELL, AND COMMISSIONERS WIFREDO "WILLY" GORT, FRANK CAROLLO, AND FRANCIS X. SUAREZ; GONZALO DORTA, ESQ.; MATIAS DORTA, ESQ.; AND LAURA BESVINICK, ESQ. A CERTIFIED COURT REPORTER WILL BE PRESENT TO ENSURE THAT THE SESSION IS FULLY TRANSCRIBED AND THE TRANSCRIPT WILL BE MADE PUBLIC UPON THE CONCLUSION OF THE ABOVE-CITED, ONGOING LITIGATION. AT THE CONCLUSION OF THE ATTORNEY-CLIENT SESSION, THE REGULAR COMMISSION MEETING WILL BE REOPENED AND THE PERSON CHAIRING THE COMMISSION MEETING WILL ANNOUNCE THE TERMINATION OF THE ATTORNEY-CLIENT SESSION.

RESULT:	DISCUSSED
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Victoria Méndez (City Attorney): Mr. Chairman and members of the Commission, pursuant to provisions of Section 286.011(8) Florida Statutes, outside counsel is requesting at the City Commission meeting of October 26, 2017, an attorney-client session, closed to the public, be held for purposes of discussing the pending litigation in the matter of Flagstone Islands, LLC (Limited Liability Company) and

Flagstone Development Corp. versus City of Miami, Case Number 17-13829 CA 44, pending in the Circuit Court of the Eleventh Judicial Circuit, in and for Miami-Dade County, to which the City is presently a party. The subject of the meeting will be confined to settlement negotiations or strategy discussions. This private meeting will begin at approximately 3 p.m. or as soon thereafter, as the Commissioners' schedules permit, and conclude approximately one hour later. The session will be attended by members of the City Commission, which include Chairman Hardemon, Vice Chairman Ken Russell, Commissioners Wifredo Gort, Frank Carollo, and Francis Suarez; Gonzalo Dorta, Esquire; Matias Dorta, Esquire; and Laura Besvinick, Esquire. A certified court reporter will be present to ensure that the session is fully transcribed, and a transcript will be made public upon the conclusion of the litigation. At the conclusion of the attorney-client session, the regular City Commission will be reopened, and the Chairman will announce a termination of the attorney-client session. Thank you.

Chair Hardemon: Maybe what we can do is -- we have item RE.3, RE.5; we can hear those two items with the quorum that consists of Commissioner Suarez, the Vice Chairman, and myself. I'm going to put the meeting in recess for 15 minutes. If everyone's not here in 15 minutes, we're done.

Later ...

Chair Hardemon: I'm going to wait an additional two minutes, and if we can't find quorum, then I'm going to conclude the meeting, which means that the agenda items that are on the meeting [sic] that have not been addressed will be moved to the next agenda, to be included in that agenda.

Later ...

Chair Hardemon: Ladies and gentlemen, I apologize for this. However, we're going to close the meeting for the lack of quorum. There's nothing we can do. There's no business that we can take care of without quorum, and we were at the very end of our agenda; and unfortunately, because we do not have the quorum, we cannot finish what is on the agenda, so it's going to be continued to the next like meeting. So I'm going to conclude the meeting at this time.

ADJOURNMENT

The meeting was adjourned at 2:56 p.m.